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CONTENTS.

ROYAL ASIATIC SOCIETY LIBRARY OF THE BOMBAY BRANCH OF THE
Vol I
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BOOK I.

1628—1636.

THE author's preface. View of the beginning of the reign of Charles I. Rise of the duke of Buckingham. Prince Charles's journey into Spain. The prince's and duke's account of the journey at a conference of both houses. Parliament resolves on a war with Spain. Rise and fall of the earl of Middlesex. The earl of Bristol is accused. King James dies. King Charles calls his first parliament, and finds it very unfavourable to him. War declared with France. Account of the assassination of the duke of Buckingham. Felton's confession. The king's regret at the duke's death. Character of the duke. Prediction of his death. Prospect of the court: of the lord keeper Coventry—the lord treasurer Weston—the earl of Portland — the earl of Manchester — the earl of Arundel — the earl of Pembroke — the earl of Montgomery—the earl of Dorset—the earl of Carlisle—the earl of Holland—sir John Coke, and sir Dudley Carleton. The rise of archbishop Laud. A peace with the two crowns. The third parliament dissolved. Powers of the

council-table and star-chamber enlarged. Of attorney general Noy and sir John Finch. Times before the long parliament and of Elizabeth and James. The king's first journey into Scotland: his reception. The seeds of the succeeding commotions were sown there. Transactions about introducing a liturgy. The king erects the bishopric of Edinburgh, and returns from Scotland. Death of archbishop Abbot. Laud made archbishop: his character. Juxon made bishop of London. Of Pryn, Barton, and Bastwick. Laud made a commissioner of the treasury Bishop Juxon made lord treasurer: his character.

BOOK II.

1637—1640.

AFFAIRS in Scotland touching the Scottish canons and the Scottish liturgy. How the liturgy was received at Edinburgh. The Scottish covenant. An army raised against the Scots. A fleet raised. The earl of Essex possesses Berwick. The king holds a court at York. The king goes to the borders. Lord Holland sent to Dunce: his retreat. The covenanters write to three general officers. Lord Holland's return. The Scots address the king. A treaty of pacification is concluded. Consequences of the treaty. Argyle joins the covenanters. Death of the lord keeper Coventry. At the meeting of parliament Glanvile is chosen speaker. Mr. Pym's speech on grievances. A supply advised by the lords. The king's proposition. Debate upon a supply. Sergeant Glanvile's speech. Mr. Hyde's proposal. Mr. Hambden's proposal. Parliament dissolved. Difficulties of the king. An army is raised, and the earl of Northumberland is appointed general. Lord Conway is made general of the horse. Other

preparations for the war. A tumult about Lambeth-house. Lord Lowden is sent to Scotland. Lord Conway is routed at Newburn. The Scots enter Newcastle. The king's army retreats towards York. The lords petition the king. His majesty's troubles. A council of peers at York. The convocation continued. The papists' activity and boldness. Committee of state. The earl of Strafford — the lord Cottington — the marquis of Hamilton. The king resolves to call a parliament. The Scots petition the king. The commissioners meet at Rippon. The counsellors about the king at York. The treaty is adjourned to London.

BOOK III.

1640, 1641.

MEETING of parliament. Mr. Lenthall made speaker. Mr. Pym's debate on grievances. The commons impeach the earl of Strafford of high treason. The archbishop of Canterbury is accused. Lord keeper Finch flees. Of secretary Windebank. Further proceedings against the earl of Strafford. Temper of the two houses of parliament: of lords Say and Mandevile, and the earl of Essex. Character of the house of commons: of Mr. Pym—Mr. Hambden—Mr. Saint-John—Mr. Nathaniel Fiennes—Sir Harry Vane, junior, and Mr. Denzil Hollis. A committee appointed to treat with the Scottish commissioners. Proceedings against the earl of Strafford. State of the council-board of the popular party. Privy counsellors sworn. Privy counsellors sworn of the popular party. Duty of the privy council. License in preaching and printing. Imprisonment of Pryn, Bastwick, and Burton: their release. Effects of seditious preaching and printing.

Petitions against the government of the church by bishops. Complaints against some bishops and against the new canons. A common council chosen of such as were disaffected to the church. Bill for two subsidies, which are to be received by commissioners. Bill for triennial parliaments. Sir Edward Littleton, lord keeper. The treasury put into commission. Saint-John made solicitor general. Offices designed for Hambden and others. Proposition to borrow money in the city. A committee from Ireland for the prosecution of the earl of Strafford: particulars of his trial. The bishops excused from being present. The trial began March 164$\frac{1}{2}$. Strafford's behaviour and defence. Mr. Lane's argument for the earl. Speeches of Mr. Pym and sir Harry Vane, jun. while a bill of attainder was pending. Speech of sir Harry Vane. The bill of attainder passed the commons: the earl of Digby's objections to it. Mr. Saint-John defends the bill. The commons pass a bill to take away the bishops' votes: it is opposed by Mr. Hyde, and supported by lord Falkland. The bill against the bishops is rejected by the lords. A bill is introduced for extirpating bishops, deans, and chapters. The commons pass a vote against the court at York, in which the lords concur. Mr. Hyde's conversation with the earl of Bedford. Opinion of the earl of Essex on the bill of attainder, which bill is hastened by two accidents. The petition of the officers of the army, and the ill use made of it in the house of commons. Mr. Pym proposes a protestation, which was taken by both houses; explanation of it. Death of the earl of Bedford: he is succeeded by lord Say, who has much influence with the king. The lords pass the bill of attainder, to which the king reluctantly assents at the entreaty of Strafford himself. The earl of Strafford is beheaded: his character. The act for the perpetual parliament passed by both houses. The chamberlain's staff is

given to the earl of Essex. Particulars of tonnage and poundage. Plot between the court and the army. Gratuity to the Scots. Mr. Pym's motion to grant no passes. Of colonel Goring and Mr. Peircy. Plot to bring up the army to force the parliament. The earl of Northumberland's defection from the king. The house of commons increase their privileges. The earl of Holland made general: dissatisfaction at this appointment. Sir Edward Deering's bill for the extirpation of episcopacy revived: it is laid aside. The king's proposed journey into Scotland. Sir Arthur Haslerig's bill for settling the militia. Dissatisfaction at the king's journey: his motives for undertaking it. The Irish army disbanded. Various acts:—for triennial parliaments—for taking away the high commission court and the star-chamber—concerning the bounds and limits of forests—limiting the office of clerk of the market—against ship-money.

BOOK IV.

1641, 1642.

AN order to disarm papists. Of Wilmot, Ashburnham, and Pollard. Intrigues of the French ambassador. Debate on the Book of Common Prayer, and on the communion table. Ordinance for a day of thanksgiving. Adjournment of both houses. The armies disbanded. Committee of both houses attend the king. Transactions touching Montrose, Argyle, and Hamilton. Death of the earl of Rothes. Rebellion in Ireland. The king writes to the two houses about it. Bill to take away bishops' votes. The king offends the commons by filling up vacant bishoprics. Animosities between some great lawyers and churchmen. Lawyers exhorted to support the church. The

king leaves Scotland. Seditious acts of the assembly. The committee for the remonstrance report to the house of commons. Debate upon the remonstrance: many protest against its being printed. Mr. Pym objects to protestations. Mr. Hyde justifies his protest, and defends Jeffery Palmer, who is committed to the Tower. Substance of the remonstrance. The disaffected party increase in the commons. The city of London entertain the king. Sir H. Vane displaced. The remonstrance, and a petition to the king. His majesty's answer. The lord mayor's address. Affairs in Ireland. A bill to impress men objected to by the lords. The king adopts Mr. Saint-John's expedient. Both houses petition the king, who passes the pressing bill. Review of parties. State and power of the militia declared to be not in the king. Bill to settle the militia. Lunsford, lieutenant of the Tower, is succeeded by Byron. Increased virulence against bishops. Apprentices' petition against papists, &c. The commons petition for a guard. Tumults about the house of peers. The lords appoint watches, which are discharged by the commons. Tumults increase. The rabble repelled. Of lord Falkland, secretary of state, and Colepepper, chancellor of the exchequer: both well affected to the king. Mr. Hyde declines office. Character of lord Digby. The bishops are too implicitly guided by Dr. Williams, archbishop of York: he is rudely treated. The bishops' protestation to the king and the house of lords. Remarks on the protestation. The bishops who signed the protestation are committed to the Tower, which excites general indignation. Volatile spirit of lord Digby. Lord Kimbolton and five other members charged with high treason. The king demands the accused members. Dissimulation of lord Digby. The accused take refuge in the city. A committee named to sit in the city: their transactions. First meeting of the house of commons confirms

the votes of the committee. The king's answer to the former remonstrance. His majesty's declaration does not allay the prevailing distempers. Effect of the king's answer to the city petition. State and temper of the city. The lord mayor displeases the commons, who issue a declaration concerning the five members, which is printed and circulated: its mischievous effects. His majesty removes to Hampton Court. The accused members are brought in triumph to Westminster. The Buckinghamshire men's petition. Lord Digby accused of high treason. The two houses execute three acts of sovereignty. His majesty removes to Windsor. Committees sit in Grocers' hall. The militia bill passed. The earl of Newcastle returns from Hull. The two Hothams are sent to Hull. Sad condition of the king. Substance of the remonstrance prepared by the Grocers' hall committee. The king is petitioned to proceed against the accused members. Observations on the privilege of parliament. The commons desire the forts and militia to be at the disposal of parliament: his majesty's answer. The commons desire to borrow of the city: answer of the common council. Petitions concerning the militia presented by Mr. Pym, who receives the thanks of the house for his speech. The commons are still opposed by a majority in the house of lords. Endeavours to misrepresent the duke of Richmond, who is disliked by the commons for his fidelity to the king: he is accused to the lords. The lords and commons agree about the militia. His majesty removes farther from London. The disaffected consider the queen chargeable with treason. The king answers the petition concerning the militia. Sir J. Coniers made lieutenant of the Tower. The king demands reparation for an expression in Mr. Pym's speech: the commons' answer: the king's reply. The marquis of Hertford succeeds the earl of Newcastle in the care of

the prince. The bill against bishops, and that for pressing, passed by the king, which much weakened his majesty's party. Ordinance for settling the militia. The lord Digby removes into Holland: his private letters opened. The attorney general is impeached. The king's answer about the militia. The commons govern absolutely. Money raised for the relief of Ireland. The queen sails for Holland. The king's farther answer about the militia. Petition of both houses to the king: his answer. Expulsion and ruin of Mr. Trelawny. His majesty is desired to reside near the parliament. The king's message to both houses when on his way to York. The votes of both houses concerning the militia. Danger from foreign forces and papists. Propositions for adventurers in Ireland: the king's answer. His majesty's power is much diminished in Ireland.

BOOK V.

1642.

THE king's declaration from York, where he receives petitions from the lords and commons. His majesty removes the earls of Essex and Holland from office. The commons desire that the earl of Warwick may be made admiral of the fleet: the king wishes to continue admiral Pennington in the command. Parliament resolve to proceed against the attorney-general: his defence: he is committed to the Fleet. The parliament petition the king to remove the magazines from Hull: his majesty's answer. The king offers to go into Ireland, which discomposes the parliament. Consequences of the king's offer. His majesty justifies his refusal to pass the militia bill. The king goes to Hull, where Hotham is declared a traitor for closing the

gates against him. The parliament's declaration concerning Hotham's conduct at Hull: his majesty's answer. The parliament send a committee to reside at York. Answer of the lords and commons to the two messages about Hull: the king's reply. The parliament committee remain at York in defiance of the king. Declaration of the two houses about the militia: the king's declaration in answer thereto. The two houses wish to raise an army. Their declaration concerning the liturgy. An assembly of divines, composed chiefly of the avowed enemies of the church. The trained bands are mustered, and the parliament collect arms, &c. The king provides himself with a select guard, which he is petitioned to dismiss: his majesty's answer. The king adjourns the midsummer term to York: this is declared unlawful. The declaration or remonstrance of the lords and commons, May 19. The lord keeper Littleton escapes from the parliament and goes to York: a warrant is issued for his apprehension. The two houses' remonstrance, May 26. His majesty's answers to the declarations of the 19th and 26th of May. Both houses endeavour to lessen the power of the king. Money borrowed of the city. The nineteen propositions sent to the king by both houses, June 2. Order concerning the crown jewels. His majesty's answer to the nineteen propositions. Orders of both houses for bringing in money and plate. Lord Spencer and lord Paget repair to the king. Why his majesty does not at this time raise forces. His majesty's declaration to the lords attending him at York, June 13: their declaration and profession: his majesty's declaration thereon. Why well affected members absented themselves from parliament. The king asserts the right of the crown to grant commissions of array. Selden objects to the commission and to the ordinance for the militia. State of things at York. The queen sends arms to the king. The

earl of Lindsey appointed general of the army. The king takes the admiralty into his own hands: much disappointment concerning the fleet. The earl of Warwick made admiral: he seizes captains Slingsby and Wake. Consequences of the loss of the fleet. The king increases his forces, and issues a proclamation from Beverley. Votes of both houses for raising an army. Parliament's petition to the king at Beverley: the king's answer. The earl of Holland's opposition to the court. Occurrences during the king's stay at Leicester. Prosecution of Dr. Bastwick suspended. War denounced against the king. Judge Mallet is sent to prison, but redeemed by the king. Great want of money in the court. The king is much troubled at his own party. The lord Digby in disguise is sir J. Hotham's prisoner: he reveals himself, and gains his liberty. Character of sir J. Hotham: his affection and duty to the king: he proposes to surrender Hull. His majesty returns to York, and declares war. Colonel Goring secures Portsmouth: his allegiance to the king. His majesty proposes to set up his standard at Nottingham. The earl of Cumberland and sir T. Glemham are put in command. The king leaves the lord Fairfax and his son at liberty. The king erects his standard at Nottingham: melancholy state of his affairs.

BOOK VI.

1642, 1643.

PORTSMOUTH besieged by the parliament's forces. The marquis of Hertford's actions in Somersetshire. The parliament party act more promptly than the king's. Spirited conduct of the marquis of Hertford and other royalists at Wells. The king, solicited to propose a treaty

with parliament, sends a message to the two houses, which is received with insolence and contempt. Answer to the king's message of August 25. The king sends a second message: answer to the king's second message. The two houses' declaration to the kingdom. Another message from the king to the two houses: he removes to Derby. The king's speech and protestation at the head of his forces: he enters Shrewsbury. Colonel Goring surrenders Portsmouth. The marquis of Hertford in the west. Imprisonment of persons suspected of loyalty to the king. Rage of the people against the nobility and gentry. Mischief of seditious preachers. The earl of Essex leaves Northampton. Rencounter between the forces near Worcester, in which prince Rupert is successful. The two houses' instructions to their general. Petition of both houses to the king. View of both houses for raising and procuring money. The two universities contribute money and plate to the king. Sordid conduct of the lord Dencourt and the earl of Kingston. Severity of the earl of Essex at Worcester. The king enters Shrewsbury. The catholics of Shropshire and Stafford advance money to his majesty. The king creates R. Newport a baron. Good effects of the king's presence at Chester. Lord Grandison at Nantwich. Substance of the king's speeches in the counties through which he passed: his army increased at Shrewsbury, but in want of arms and accoutrements. The king marches from Shrewsbury towards London. The earl of Essex and others are attainted of high treason. Faction in the royal army. Battle of Keinton, or Edgehill. The earl of Lindsey is mortally wounded: his character, and address to sir W. Balfour. Death of lord Aubigney. Character of lord Saint-John. Particulars of the battle. Ruthven made general of the royal army. The king takes Banbury castle, and marches into Oxford.

The condition of the earl of Essex's army. Great consternation in London. A day of thanksgiving appointed for the victory at Edge-hill. The parliamentary party affect to desire peace. The two houses' declaration to the subjects of Scotland. Condition of that country. The king recruits his army at Oxford, and marches to Reading. A petition from both houses is presented to the king at Colebrook: the king's answer. His majesty marches towards Brentford. The royal forces are opposed by Essex's army and the trained bands. The king's army marches to Reading. An ordinance is passed by both houses for raising money. The parliament compliment the general, and petition the king: his majesty's answer. Reading and Wallingford garrisoned. The king marches to Oxford. The royal forces take Marlborough. The king's message to the privy council of Scotland. Means taken by his majesty to raise money. The king makes new sheriffs. The two houses' declaration to the States General of the United Provinces. Inclinations of foreign states in this cause between the king and parliament. Change of conduct towards congregations of foreigners in England. New ways of raising money by the two houses. His majesty's declaration thereon. The house of commons reject the petition of many wealthy citizens. Petition of the mayor, aldermen, &c. to the king: his answer. Mr. Pym's remarks on the answer received with applause. Bill passed for the extirpation of bishops. Propositions of the lords and commons to his majesty: the king's answer. Chichester taken by the royal forces; but surrendered to Waller. Prince Rupert takes Cirencester. Hopton's progress in Cornwall. The earl of Northampton slain: his character. State of the principality of Wales. Lord Herbert made general of South Wales: he raises a small army, which is routed by Waller; who takes Hereford and

Tewkesbury. State of Ireland. The king's proposition for a cessation of arms. Both houses agree on a treaty, and send terms to the king: probable effects of a cessation. The kingdom assessed by parliament. The city of London fortified. His majesty proposes alterations in the articles of cessation. The earl of Newcastle's reasons for granting commissions to papists. The general assembly's petition to the king. His majesty's forbearance towards Henderson, who presented the assembly's petition. The king's answer to the petition. His majesty declines the Scots' mediation, refuses writs for a parliament, and will not grant a pass to the Scotch commissioners. The parliament's committee come to Oxford. The king's message to the parliament. The committee object to the king's limitations concerning the cessation. Advice of the two houses concerning gaol-delivery: the king's answer. Character of the lord Littleton, the duke of Richmond, the marquis of Hertford, the earl of Southampton, the earl of Leicester, the earl of Bristol, the earl of Newcastle, the earl of Berkshire, lord Dunsmore, lord Seymour, lord Savile, lord Falkland, secretary Nicholas, sir J. Banks, sir P. Wych, the earl of Northumberland, the earl of Pembroke, the earl of Essex, the earl of Salisbury, the earl of Warwick, the earl of Holland, the earl of Manchester, the lord Say, and of sir Henry Vane.

BOOK VII.

1643, 1644.

DEMANDS and concessions of both sides upon the first article of the treaty. His majesty's message not answered by parliament. Unyielding policy of the king. Proceedings during the treaty at Oxford. The

earl of Essex besieges Reading. Death of lieutenant-colonel D'Ews. Sir W. Waller takes Hereford, but is repulsed before Worcester. Prince Rupert marches north, and takes Bromicham. The earl of Denbigh killed. Prince Rupert takes Lichfield. State of the king's garrisons at Reading, which surrenders upon articles. Conduct of the parliament forces towards that garrison. Colonel Fielding's fidelity suspected: his trial and defence. State of the earl of Essex's army. The city is importuned for money. The king sends a message to the two houses: his messenger is committed by the commons, who impeach the queen of treason. Design in favour of the king, in which Waller and Tomkins are principals. Report of the parliament after Waller's confession. Execution of Tomkins and Chaloner. Remarks on the design. Waller banished. The earl of Essex marches to Thame. Colonel Urry's zeal in the king's service. Prince Rupert beats up the quarters of the earl of Essex. Colonel Urry is knighted: his character. Hambden mortally wounded in Chalgrave field: his character. The earl of Essex marches to London. His majesty's affairs in the west. Earl of Stamford marches into Cornwall. Success of the king's forces in the west. The earl of Stamford is beaten near Stratton. The army marches towards Devonshire. Marquis of Hertford sent into the west. The marquis and prince Maurice join the Cornish army. Taunton, Bridgewater, and Dunstar-castle in possession of the marquis. The parliament send sir W. Waller with an army into the west. Prince Maurice pursues the enemy. Waller's forces routed. The royal forces advance to Bath. The marquis and prince Maurice reach Marsfield. Battle of Lansdowne. Death of sir Bevil Greenvil. Sir R. Hopton wounded. The king's forces march to Chippenham. Sir W. Waller summons the royal forces to surrender at Devizes: he is routed at

Roundway-down. Jealousies between Waller and the earl of Essex. His majesty and the queen meet at Keinton. The earl of Essex retires to Uxbridge. Prince Rupert takes Bristol by assault. The two houses send into Scotland for relief. The king's declaration after the victory at Bristol. Jealousies about the government of that place. The king goes thither. Prince Maurice sent into the west. The king besieges Gloucester. The lords' proposals to the commons for peace: debate thereon. Forces raised under the earl of Manchester. Lord Essex becomes violent. Several of the parliament lords side with the king. State of the royal army. Opinions concerning the siege of Gloucester. The king goes to Oxford. Debates on the conduct of the earls of Bedford and Holland. Treatment of the earl of Holland at Oxford. The king's affairs in the west. Dorchester, Weymouth, and Portland surrender to the royal forces. Prince Maurice comes to Exeter: the earl of Warwick attempts its relief. Gallant conduct of colonel Digby at Torrington. Barnstable is delivered to colonel Digby, and Exeter to prince Maurice. Difference between the marquis of Hertford and prince Maurice. Prosecution of the siege of Gloucester. The custody of the Tower committed to Pennington. Earl of Essex marches to relieve Gloucester, and the siege is raised. Earl of Essex seizes Cirencester. Prince Rupert routs the enemy at Awborne Chase. The battle of Newbury: where the earls of Sunderland and Carnarvon are slain. Character of the earl of Carnarvon. Death and character of lord Falkland. Temper of the army and of the court at Oxford. Earls of Holland, Bedford, and Clare return into the parliament's quarters. Transactions of the committee of the two houses in Scotland. A covenant proposed by the Scots. Of Dr. Featly and the assembly of divines. The lords and commons, and the assembly of divines, take the

oath. The solemn league and covenant. Justice Berkley and baron Trevor are fined by the parliament. A hundred thousand pounds sent to the Scots. A parliament is summoned by the covenanters in Scotland. Substance of the treaty between the English and the Scots. The Scots raise an army. Divisions amongst the councils at Oxford. The king's affairs in the west. Carew proposes to surrender Plymouth to the king. Prince Maurice takes Dartmouth, and sits down before Plymouth. The count of Harcourt arrives ambassador from France. He proposes to effect peace between the king and parliament. Doubts concerning the real object of the count. The earl of Holland is not well received by the parliament. The commons vote a new broad seal. Fiennes is condemned for surrendering Bristol, but pardoned by the general. The Scots enter England. A parliament is summoned at Oxford. Proceedings of the marquis of Ormond in Ireland: state of protestants there. The king's concern for them. Commissioners treat with the rebels. Cessation of arms in Ireland. Part of the English army leave that country. Extract from the declaration of England and Scotland. Means to raise money at Oxford. The excise duty imposed. The earl of Newcastle marches against the Scots. Fairfax defeats colonel Bellasis. The marquis of Ormond sends troops from Ireland to the king. The Irish forces routed by sir T. Fairfax at Nantwich. State of Scotland. The duke of Hamilton and the earl of Lanrick are put under guard. Death of Mr. Pym: his character. The prince elector arrives at London. Prince Rupert relieves Newark.

BOOK VIII.

1644, 1645.

THE king's party overrates its influence. Lord Hopton is invited into Sussex. His majesty receives assurances from Kent. Arundel-castle surrendered. Waller returns to Farnham, and retakes Arundel-castle. The earl of Brentford and others join lord Hopton. The battles of Alresford and Cropredy-bridge. The royal army and Waller's draw off from each other, the king marching towards the west. The battle of Marston-moor. York is delivered to the parliament forces. Misunderstanding between the marquis of Newcastle and prince Rupert. The queen retires into France. The earl of Essex marches into Cornwall, and is followed by the king. Of the earl of Brentford, general of the king's army. Lord Wilmot put under restraint. The king dismisses lord Percy. Colonel Goring is made general of the horse. Lord Wilmot retires. The earl of Essex declines a conjunction with the king: he is much straitened by the king's forces, and becomes uneasy: Waller complains of him to parliament. Balfour marches through the king's army with the whole of Essex's cavalry, the earl himself escaping by sea to Plymouth. State of affairs at Oxford during the king's absence. Of colonel Gage. State of Basing-house, which is gallantly relieved by colonel Gage. Death of captain J. Wainman. Blockade of Plymouth by sir R. Greenvil. The king raises the siege of Portland-castle, and quarters at Andover. The governor of Donnington knighted at Newbury. Banbury castle relieved by the earl of Northampton. Second battle of Newbury. The king relieves Donnington castle. Basing-house is again relieved, and the king re-

turns to Oxford. Colonel Gage is made governor of Oxford: he is killed at Culham near Abingdon. Probable movement of the Scots army. Temper of the army and court. The king's consideration for his children. A council is settled for the prince of Wales. A fast day appointed by parliament. Vane and Cromwell propose a self-denying ordinance, and the latter commends the parliament preachers. It is proposed to make sir T. Fairfax general. Trial of archbishop Laud. He is condemned and beheaded. Objections to titles conferred by the king. The treaty at Uxbridge: first, of religion; secondly, of the militia; and thirdly, of Ireland. The king provides for the prince's safety. The four western counties form an association, of which the prince is made general. The commons pass the self-denying ordinance. The earl of Mountrose's expedition into Scotland. Mountrose and Antrim's proceedings in favour of the king. Of Daniel O'Neile. O'Neile accompanies the earl of Antrim into Ireland. Lord Digby persuades the king to make O'Neile groom of the bedchamber. The earl of Mountrose raises an army in Scotland. Trial of sir J. Hotham and his son: they are condemned and beheaded. The earl of Essex expostulates with prince Rupert, who goes to Bristol. Waller delivers up his commission.

BOOK IX.

1645, 1646.

THE self-denying ordinance passes the lords. The earl of Essex and others resign their commissions. State of the western counties. Selfishness of Mrs. Windham. Faction in the prince's council. Goring wishes to command in the west. Inquiry into the complaints against

sir R. Greenvil. The lord Goring joins the king at Oxford. Resolutions taken there. Jealousy between Rupert and Goring. Fairfax before Oxford. The king takes Leicester, and makes lord Loughborough governor. His majesty marches towards Oxford, and makes preparation for an engagement with Fairfax. Battle of Naseby. The king retires to Hereford. Misconduct of general Goring in the west. Of the club-men in Somerset and Devonshire. The king's affairs disturbed by faction. Transactions at Barnstable. Conduct of Wheeler and sir H. Windham. Further complaints against sir R. Greenvil. Fairfax enters Somersetshire, and defeats Goring. Improper behaviour of general Goring and sir R. Greenvil. His majesty goes to Abergaveny, then to Cardiff. Sir T. Fairfax takes Bridgewater. The king desires prince Rupert not to treat of peace. The Scottish army is at Hereford. The king removes Gerrard. Goring makes propositions to the prince, who assents to them. Extravagant demands of lord Goring. Prince Rupert delivers up Bristol. The king goes to Doncaster. Mountrose is defeated by Lesley. The king goes to Oxford —to Ragland. The king revokes all Rupert's commissions. The royal forces prepare for the enemy in the west. Improper conduct of the lord Goring. The king's letter concerning the prince. Lord Goring retires into France. Endeavours are made to unite the king's forces in the west. The lords are of opinion that the prince should not leave England. Wentworth's horse defeated at Ashburton. The king marches to Chester: his horse routed by Pointz. His majesty marches to Denbigh. Lord Digby and sir M. Langdale march to the north. The former is routed at Sherborne, and escapes to the Isle of Man. Discontents among the king's officers at Newark. The king reaches Oxford. Hopton is made general of the west. Sir R. Greenvil committed to prison. Lord Hopton receives the

enemy at Torrington, where he is routed by Fairfax. The prince goes to Pendennis; thence he sails to Scilly. Lord Hopton's army is dissolved. Duke Hamilton confined in Pendennis castle. The duke obtains his liberty. The king's transactions at Oxford. Cromwell takes Winchester and Basing. The king asks for peace and a safe conduct. The houses decline a personal treaty. The king tries the Independents. Treaty between the king and the Scots. Montrevil's negotiation with the king. The year 1645 concludes with the defeat of Lord Astley's forces.

BOOK X.

1646—1648.

HIS majesty endeavours to raise an army. The prince of Wales lands at Jersey. Lords Capel and Colepepper attend the queen in Paris. Lord Digby arrives at Jersey, and proposes to carry the prince to Ireland. His transactions with cardinal Mazarine. The queen desires to have the prince with her. Further account of Montrevil's negotiation, who promises the king a good reception by the Scots. The king proposes to unite his forces with those of the Scots. Montrevil doubts the fidelity of the Scots. The Scottish army marches with the king to Newcastle. The queen sends for the prince. The prince goes to France. Transactions in the Scottish army. Bellievre's negotiation. Sir W. Davenant wishes the king to give up the church. The prince's treatment in France. The king surrenders Oxford and all his garrisons. Propositions of peace to his majesty. The Scots deliver up the king. His servants are appointed by parliament, who object to his chaplains. Many garrisons surrender. Unexpected death of sir Harry Killigrew. Divers sects in the army. Earl of Essex dies. First reso-

lutions of the agitators in the army: parliament's declaration thereon. Treaty with a committee of the army. Cromwell's dissimulation. Joyce seizes the king at Holmby. The army approaches to London. The king allowed his chaplains, and moves with the army. He knows not how to act. Sir J. Berkley and Mr. Ashburnham treat with some officers of the army. Designs relating to the king, who desires to have his children. The army impeach eleven members. Temper of the city, and the changes of their militia. Petition of apprentices. The two speakers appear with the army at Hounslow. The army takes possession of Southwark. The city submits. The army marches through the city. The marquis of Ormond and the Scottish commissioners wait on the king. Oxford reasons against the covenant. Presbyterians become heads of colleges. The king is less respectfully treated. Huntington declares Cromwell to be a villain. Levellers in the army. The king escapes from Hampton Court, and is taken by Hammond to the Isle of Wight: he is confined in Carisbrook castle. Tumult of the levellers suppressed by Cromwell. His majesty's old servants are removed. Burly is executed for attempting to rescue the king. Cromwell's speech upon his majesty's refusing to pass four bills. The king's destruction intended by Cromwell and others. Vote of no more addresses to the king is opposed by Mr. Maynard: it is generally detested. Affairs of Ireland. The marquis of Ormond goes to France: he prepares to go again into Ireland. Parliament views Scotland with jealousy. Duke Hamilton goes into Scotland, where he is well received by the royalists. His majesty signs the Scots commissioners' propositions. Author's opinion of the English independents and Scotch presbyterians. Condition of the king and parliament. The prince's condition at Paris. Condition of the French court. The marquis of Ormond is disappointed.

BOOK XI.

1648, 1649.

AFFAIRS of Ireland. Waller nominated lord lieutenant for Ireland. The earl of Holland attempts a rise in favour of his majesty. Proceedings of the Scots in favour of the king. Deliberations of the parliament in Scotland. The Scots treat with sir M. Langdale and sir P. Musgrave. Commissioners from the two houses sent into Scotland. The duke of York escapes from St. James's. The chancellor of the exchequer attends the prince into Holland. Commotions in Kent in favour of the king. The prince is received at the fleet: he makes Batten rear-admiral. The fleet sails into the Thames. Earl of Norwich commands the royalists in Kent. Colonels Laughorn, Powell, and Poyer declare for the king. Pontefract is surprised by the royalists. Duke Hamilton declines giving commissions to sir M. Langdale and sir P. Musgrave. Berwick and Carlisle surprised. Duke Hamilton sends a governor to Berwick. Langdale's forces increase. Lambert marches against sir M. Langdale. Kentish forces under earl Maidstone march towards Blackheath. Cromwell marches against the Scots, and Fairfax against the Kentish men. Fairfax besieges Colchester. Factions in the prince's fleet. The parliament prepares a fleet. Hamilton enters England. The Scots' army fights and is beaten. Duke Hamilton routed. Sir M. Langdale taken and sent to Nottingham castle. The prince is well received by the States: faction in his court. Sir T. Tildesly retires to Monroe; retreats towards Scotland. Berwick and Carlisle delivered to the parliament. Cromwell enters Scotland, and is well received: he returns to England.

Duke'Hamilton's engagement is condemned. The earl of Holland rises: he is routed, and taken at St. Neots. Colchester is delivered to Fairfax. Sir C. Lucas and sir G. Lisle are shot. The city petition for a personal treaty with the king: a committee sent to his majesty. The treaty is to take place at Newport. The taking of Pontefract castle by the royalists. Some of that garrison seize and kill Rainsborough. Lambert succeeds Rainsborough in the siege of Pontefract, and takes it. Condition of the prince at the Hague. Ill condition of the prince's fleet. The earl of Warwick with his fleet comes upon the coast of Holland. Money raised to pay the fleet. Of the marquis of Ormond. Affairs in Ireland. Of Preston and O'Neile. The pope's nuncio commands the Irish. Ormond arrives at Kinsale. Difficulties respecting the fleet: it is placed under prince Rupert. The commissioners arrive in the Isle of Wight to treat with the king. Great change in his majesty's appearance. Commencement of the treaty. The king is required to revoke all declarations, &c.: his majesty's answer. Dispute concerning the preamble. The king consents to the first propositions. The commissioners refuse the king's proposition, and dispute with him about bishops. The king proposes to suspend episcopacy for three years. Proposition concerning the militia, to which the king consents. Proposition concerning Ireland: the king consents. The king is required to issue a declaration against Ormond. The commissioners urge further about the church. Propositions against delinquents. A third proclamation of the treaty. Proposition concerning Scotland: another concerning the church. The king's letter to his son on the whole treaty. Possibility of the king's escape. Rolph accused of a design upon the king's life: he is acquitted. Sir H. Vane's virulent speech concerning the treaty. The remonstrance of the army. The king is carried to Hurst castle. His majesty's

answer is a ground for peace. Many members are seized by the soldiers: others contradict their former votes. Protestation of secluded members is voted against by both houses. Committee appointed to prepare a charge against the king. The prince desires the States to intercede. The charge against the king approved by the commons. The commons constitute a high court of justice. Bradshaw is made lord president. Lawyers and other officers appointed. Of Harrison, who has the care of the king. Of the lady Aubigney. All hope of the king's escape is abandoned: he is brought to St. James's. Consultations among the officers: many are for killing the king. His majesty is to be publicly tried: his treatment. Disturbance in the court by the lady Fairfax. Brutal behaviour during the trial. Character of the king: his justice, mercy, devotion, and conjugal chastity: he was beloved of his subjects. His majesty's funeral. Why the body was not removed at the restoration. Proclamation against proclaiming Charles Stuart king. The commons abolish the peers, and make a new great seal. The engagement is imposed. A new court of justice sits. Duke Hamilton is first tried: then the earls of Holland and Norwich. Trial of lord Capel and sir J. Owen. The five are condemned. Hamilton's and Holland's petitions rejected. The earl of Norwich pardoned. The lord Capel escapes from the Tower. Lady Capel's petition is rejected. Duke Hamilton, the earl of Holland, and the lord Capel are beheaded: his lordship's character.

BOOK XII.

1649, 1650.

THE young king at the Hague. The States condole with him: he is proclaimed in Scotland. Character of Lanrick, duke of Hamilton. Condition of Scotland. the Scottish commissioners protest against the king's trial: they are imprisoned. Middleton assembles troops in Scotland. Factions in the king's court. The marquis of Mountrose goes into Germany: he arrives at the Hague. The earl of Lautherdale's discourse against Mountrose. Dorislaus killed at the Hague by some Scottish men. The king requests an audience with the States, and delivers a memorial: he asks advice of the States, and prepares to sail for Ireland. Lord Cottington desires an embassy to the court of Spain: the king appoints him and the chancellor of the exchequer ambassadors. The king's arrangements preparatory to his sailing for France. The marquis of Mountrose goes to Hamburgh. The ambassadors for Spain set out. They visit the duke of Lorrain at Brussels. The queen is not pleased with the chancellor. The king removes to Breda, thence to Antwerp and to Brussels. Mr. Elliot comes to the king: his influence. Private audience of the chancellor with the queen. The chancellor relates to the king his conversation with the queen. Cottington prevents Windham being made secretary. Affairs in Ireland after Ormond's arrival. Dublin is blocked up. Jones beats Ormond's army. Cromwell is made lord lieutenant of Ireland: his movements delay the king's voyage to Ireland. Affairs of France. The king leaves St. Germain's. Lord Cottington and the chancellor arrive at Bourdeaux. Their progress in Spain. Of sir B. Wright,

who received them at Madrid. The court take no notice of their arrival. Of the Spanish masquerade and running of the course. Account of the toros. Characters of the different ambassadors at the court of Spain. Of don Lewis de Haro, and of the duke of Medina de los Torres. Of the members of the Spanish court. Of the conde of Pignoranda. The ambassadors have a private audience. Prince Rupert with his fleet escapes from Lisbon. Affairs of Ireland. Cromwell takes Tredagh, and marches into Munster. The king declines going into Ireland. Argyle invites the king into Scotland. The queen's advice to the king. The Scottish commissioners at Breda. The king of Spain's opinion concerning his majesty's going into Scotland. Mountrose, after soliciting forces at Hamburgh, embarks for Scotland. Colonel Straghan sent against Mountrose, who is taken prisoner: his behaviour before the Scottish parliament: his discourse with the presbyterian ministers: his execution, and that of his officers: his character. Affairs of Ireland. The house refuses to ratify Monk's treaty with Owen O'Neile. Cromwell permits the Irish to go into foreign service. Low condition of the loyal party in England. Fairfax suppresses the mutiny of the levellers.

BOOK XIII.

1650—1653.

THE king arrives in Scotland, and takes the covenant: he is received by Argyle. Character of the sermons preached before the king. Argyle's behaviour. His majesty has some state, but no liberty in Scotland. The parliament send Ascham to Spain: he is killed at Madrid. The ambassadors write to don Lewis about it. Some of

the murderers of Ascham are taken and imprisoned. Rospigliosi required the delivery of Ascham's murderers Lewis's opinion of Ascham's murder. Ireton is appointed Cromwell's deputy in Ireland. Cromwell is made general: he enters Scotland, and routs the Scots at Dunbar: he goes to Edinburgh. The king's ambassadors are desired to leave Spain. Lord Cottington is reconciled to the church of Rome, and dies at Valladolid: his character. The other ambassador is courteously dismissed. Death of the prince of Orange. The duke of York left with the queen: he goes to Brussels, and is advised to marry the duke of Lorrain's daughter. The duke returns to Paris. The king's affairs in Scotland. The Scottish parliament meet at Stirling, and reconciles the lords. The coronation. Cromwell endeavours to engage the king's army: he leaves Monk in Scotland, and pursues the king. The earl of Derby endeavours to raise forces in Lancashire. The king summons Shrewsbury: he marches to Worcester. Ill success of the earl of Derby. Lord Withrington is killed: his character. Character of sir T. Tildesly. Transactions of the king at Worcester. Ambition of the duke of Buckingham. Ill disposition of the king's officers. His majesty's defeat at Worcester. Hamilton is killed: his character. The king's retreat and concealment. Lesley is taken. Earl of Derby's character and execution. The king arrives at Paris, and communicates to the chancellor the particulars of his deliverance. The affairs of Ireland: marquis of Ormond's condition there. Death of Owen Roe O'Neile. Popish bishops desire the lord lieutenant to commit the government to a catholic. Ormond goes to the king at Paris. Love, a presbyterian, is executed. Cromwell erects courts of justice. The king's necessity at Paris. Necessities and factions of the duke of York's family. The king appoints a new council. Berkley claims the master-

slip of the wards: the king denies the claim. The French settle six thousand livres per month upon the king, to whom money is sent from Moscow and Poland. An account of Scotland brought to the king by a Scottish vicar. The king appoints the chancellor to make all despatches for Scotland. The chancellor desires not to be employed in Scottish affairs. Troubles of the French court. The king of England and his mother remove to St. Germain's. Sir J. Berkley designs mademoiselle de Longueville for the duke's wife. The queen consults the chancellor about the proposed marriage. The parliament send ambassadors to Holland, and make the act of navigation. The Dutch order their fleet not to strike to the English. War ensues. The States send ambassadors into England: the parliament's answer. Blake takes fishing busses, &c. The king's proposals to the Dutch ambassador to join interests. The English seize on a French fleet. Blake engages the Dutch fleet. Guernsey and Jersey reduced. The foreign plantations subdued. Barbadoes and Virginia delivered up. Death of Ireton: his character. Ill condition of Ireland. The rebels invite the duke of Lorrain. Commissioners sent to the duke of Lorrain: he sends an ambassador to Ireland. The marquis of Clanrickard renounces any consent to the treaty. The negotiation ceases. Ludlow's correspondence.

BOOK XIV.

1653—1655.

THE state of parties. Cromwell erects another council of officers. Proposed dissolution of parliament. Cromwell dissolves the parliament: his method for composing a government. Praise-God Barebone's parliament.

Cromwell calls them together, and invests them with authority. Rouse chosen speaker. Cromwell made lord protector, and installed in Westminster-hall: he is entertained at Grocers' hall. A strong fleet set sail, and the Dutch are beaten. Trump comes to sea with another fleet: he is slain. The Dutch are defeated. Cromwell makes peace with the Dutch. General discontents in the nation. A high court of justice erected. Mr. Gerard and Mr. Vowel tried, condemned, and executed. Don Pantaleon Sa is executed. State of Scotland and Ireland. The levellers form a dangerous party. Cromwell's speech to parliament. Lenthall chosen speaker. Unruly spirit of the members. Cromwell addresses parliament again, and dissolves it. Character of Wildman. John Lilburn is imprisoned and escapes: he asperses the protector, is indicted of high treason, and acquitted. Cromwell's treaty with France. The king wishes to leave that country. Affairs of Scotland. Mr. Wogan proposes to march through England and join Middleton. Wogan's death. Petitions against the chancellor. Walsingham discovers them to the king. De Retz sent to the Bastille. The king and chancellor at a masque. Prince Rupert arrives at Nantes. Herbert, lord keeper of the great seal. Prince Rupert's account of his fleet. Mr. Long accuses the chancellor of having conversed with Cromwell: the king acquits the chancellor. He is again accused: his defence. The king acquits him. His majesty is impatient to leave France. The prince tries to sell the cannon. The king proposes to go to Spa. He receives three thousand pounds, and the cardinal pays his arrears. The condition of king Charles the First's children after his death. The duke of Gloucester goes to Paris. Prince Rupert leaves the king. Lord keeper Herbert resigns. The king left Paris June 1654. Amour of the earl of Bristol. The designs of the earl

of Bristol and lord Crofts to persuade the king to marry. The king comes to Cambray. Affairs relating to Cromwell and his army. The king arrives at Spa, and obtains a subsidy from the German diet. The king removes to Aken. News out of Scotland. The chancellor's discourse with the king about his going to Scotland. Description of Cologne. The king and princess visit the duke of Newburgh at Dusseldorp. The king's way of life at Cologne: he sends the marquis of Ormond into France. The duke of Gloucester is brought to Cologne. Cardinal Chigi chosen pope. The duke of Newburgh advises the king to apply to the pope. He sends his Jesuit to the pope. An insurrection designed in England by some of the king's party. Propositions to the king to this purpose. The king approves of the day of rising, and goes to Zealand. The rising at Salisbury. Wagstaff threatens to hang the sheriff. Unfortunate issue of that rising. Ill success likewise of the design in the north. Accident to the earl of Rochester: his escape. The king returns to Cologne. Proceedings of Manning and his accomplice Herbert Price. Manning's person and papers seized: his examination. Effects of the risings. Cromwell's orders to decimate the king's party.

BOOK XV.

1655—1658.

THE condition of Scotland and Ireland under Cromwell. Two great fleets sent to sea under Pen and Blake. Blake sails into the Mediterranean. Pen sails to the Barbadoes. Cromwell's orders to his admirals. Venables beaten by the Spaniards. Good success of the fleet under Blake. Pen and Venables sent to the Tower. Alliance between France and England. The king came into

Flanders. Treaty between Spain and the king. The king removes his family to Bruges. Cromwell disturbed with the divisions of his own army. Blake lights upon the Spanish West India fleet. Cromwell summons a parliament, and imposes a subscription upon members: his jealousy of Lambert. A proposition in the parliament for Cromwell to be king: Lambert opposes this overture. A committee sent to Cromwell, entreating him to take the title of king. Cromwell defers his answer, and at length refuses the title: he is confirmed protector: his inauguration: he adjourns his parliament: his two daughters given in marriage. Blake destroys the Spanish galleons: he returns and dies: his burial and character. Parliament meets on the 20th of January. The commons readmit excluded members. Cromwell dissolves parliament Feb. 4, and turns Lambert out of the army. Plot of the cavaliers. The king's affairs in Flanders: he declines the pension from France. Ormond treats with Muskery. The duke of York leaves the French service. The earl of Bristol comes to the king at Bruges, and is instrumental in recovering St. Ghislain to the Spaniards. Sir H. Bennet sent to Madrid. The duke of York comes to Bruges. The chancellor of the exchequer is made lord chancellor. Ormond goes into England: temper of the king's friends there. He returns to Flanders. Mr. Mordaunt is active for the king. Mr. Stapley reveals the plot to Cromwell. Mr. Mordaunt is sent to the Tower. Mordaunt, sir H. Slingsby, and Dr. Hewet are tried. The means by which Mr. Mordaunt escapes sentence. Sir H. Slingsby and Dr. Hewet are executed: some account of them. Cromwell finds new enemies. Letter to the king sent with the anabaptists' address. Answer to the address. The king offers to accompany don Juan, and is present at Mardike. Of Sexby and his negotiation. Dunkirk is besieged

by the French. The prince of Condé's advice: which the Spaniards neglect. The battle of Dunkirk. Don Juan retires to Ypres. Dunkirk is delivered to the English. The king retires to Hochstraten. Upon the report of Cromwell's death, the king returns to Brussels. Syndercome's design against Cromwell. Death of the earl of Warwick. Cromwell appoints his successor: his death and character.

BOOK XVI.

1659, 1660.

HOPELESSNESS of the king's condition at the beginning of Richard Cromwell's government. Richard calls a parliament. Council of officers consult about the government: they address Richard. Some officers advise him to dissolve the parliament: his protectorship is at an end. Restoration of the long parliament. Commissioners are appointed to govern Ireland in the room of Harry Cromwell. Monk submits to the parliament: so does the navy. Cavaliers are banished from London. The king's party begins to move. Mr. Mordaunt acquaints the king with preparations: much activity prevails. Treachery of sir R. Willis: his character. The king goes to Calais. Massey is seized, but escapes. Chester is seized for the king. Declaration of sir G. Booth and T. Middleton. Lambert routs sir G. Booth, and takes Chester. Middleton surrenders the castle. The king returns with the duke of York to Brussels. Don Juan is recalled to Spain. The treaty between France and Spain proceeds. Conduct of the cardinal. The king resolves to be present at the treaty at Fuentarabia. Difficulties in the treaty concerning Portugal and the prince of Condé. Ormond informs the king of

the conclusion of the treaty. The king reaches Fuentarabia: his treatment by don Lewis de Haro. The cardinal declines seeing the king. Ill state of his majesty's affairs. The duke is invited into Spain. Affairs of England. The parliament is jealous of Lambert. Parliament vote against general officers, and cashier Lambert and others. The speaker is stopped by Lambert. The officers make Fleetwood general. Parts acted by Vane and Haslerig. Committee of safety by the army. Colonel Cobbet is sent to Monk. Haslerig and others to Portsmouth. Monk imprisons colonel Cobbet. Lambert goes after Monk. Some account of general Monk: he calls an assembly of the Scottish nation. Lambert with his army enters Newcastle. The fleet and the army in London declare for the parliament. Lenthall goes into the city. Lambert sent to the Tower. Condition of the king at Brussels. The parliament desire that some of Monk's forces may return to Scotland. Monk marches into London. The common council is refractory: Monk is sent to reduce it. Parliament resolves to lessen the power of Monk, who marches again into the city, and expostulates with the parliament. Good understanding between Monk and the city. Monk returns to Whitehall. Transactions of the secluded members. Writs are issued for a new parliament. The king's affairs at Brussels: his hopes are revived by numerous addresses. Lambert's escape from the Tower. Ingoldsby is sent against him. A troop of Lambert's revolts. Lambert is taken prisoner. Monk and Mountague are made admirals. Some account of admiral Mountague. Transactions between the general, Morrice, and Greenvil. Greenvil goes to Brussels, and informs the king of his negotiation. The king deliberates upon the terms proposed by the general. Letters are prepared to parliament, &c. agreeably to the general's advice. Design to seize the king, who goes

to Breda. Greenvil and Mordaunt return to England. The king's letter to the general and the army. His letters to the lords and commons: also to the fleet, and to the mayor &c. of London. Greenvil arrives in England. Declaration of the king's party. Affairs of Ireland. The parliament met Apr. 25. Sir H. Grimstone is chosen speaker. The king's letter and declaration received by the house with great joy. The answer of the house of commons to the king. The king is proclaimed on the 8th of May. Many addresses to his majesty. The particular case of Ingoldsby. The king is invited to Brussels, to France, and to the Hague: his reception and entertainment at the Hague. Committee of lords and commons, with fourteen citizens, arrive at the Hague. The king replies to the London citizens, and to the presbyterians. His majesty arrives at Whitehall, and is waited upon by the two houses. Conclusion of the history.

THE HISTORY

A TRUE

HISTORICAL NARRATION

OF THE

REBELLION AND CIVIL WARS IN ENGLAND

BEGUN IN THE YEAR 1641, WITH THE PRECEDENT PASSAGES AND ACTIONS THAT CONTRIBUTED THEREUNTO.

BOOK I.

THAT posterity may not be deceived, by the prosperous wickedness of these times, into an opinion, that less than a general combination, and universal apostasy in the whole nation from their religion and allegiance, could, in so short a time, have produced such a total and prodigious alteration and confusion over the whole kingdom; and so the memory of those few, who, out of duty and conscience, have opposed and resisted that torrent, which hath overwhelmed them, may lose the recompense due to their virtue; and, having undergone the injuries and reproaches of this, may not find a vindication in a better age; it will not be unuseful, at least to the curiosity if not the conscience of men, to present to the world a full and clear narration of the grounds, circumstances, and

artifices of this rebellion: not only from the time since the flame hath been visible in a civil war, but, looking farther back, from those former passages, accidents, and actions, by which the seed-plots were made and framed, from whence these mischiefs have successively grown to the height they are now at.

And then, though the hand and judgment of God will be very visible, in the infatuating a people (as ripe and prepared for destruction) into all the perverse actions of folly and madness, making the weak to contribute to the designs of the wicked, and suffering even those, by degrees, out of the conscience of their guilt, to grow more wicked than they intended to be; letting the wise to be imposed upon by men of no understanding, and possessing the innocent with laziness and sleep in the most visible article of danger; uniting the ill, though of the most different opinions, divided interests, and distant affections, in a firm and constant league of mischief; and dividing those, whose opinions and interests are the same, into faction and emulation, more pernicious to the public than the treason of the others: whilst the poor people, under pretence of zeal to religion, law, liberty, and parliaments, (words of precious esteem in their just signification,) are furiously hurried into actions introducing atheism, and dissolving all the elements of Christian religion; cancelling all obligations, and destroying all foundations of law and liberty; and rendering, not only the privileges, but very being, of parliaments desperate and impossible: I say, though the immediate finger and wrath of God must be acknowledged in these perplexities and

distractions; yet he who shall diligently observe the distempers and conjunctures of time, the ambition, pride, and folly of persons, and the sudden growth of wickedness, from want of care and circumspection in the first impressions, will find all this bulk of misery to have proceeded, and to have been brought upon us, from the same natural causes and means, which have usually attended kingdoms, swoln with long plenty, pride, and excess, towards some signal mortifications, and castigation of Heaven. And it may be, upon the view of the impossibility of foreseeing many things that have happened, and of the necessity of overseeing many other things, we may not yet find the cure so desperate, but that, by God's mercy, the wounds may be again bound up; though no question many must first bleed to death; and then this prospect may not make the future peace less pleasant and durable.

And I have the more willingly induced myself to this unequal task, out of the hope of contributing somewhat to that end: and though a piece of this nature (wherein the infirmities of some, and the malice of others, both things and persons, must be boldly looked upon and mentioned) is not likely to be published at least in the age in which it is writ, yet it may serve to inform myself, and some others, what we are to do, as well as to comfort us in what we have done, and then possibly it may not be very difficult to collect somewhat out of that store, more proper, and not unuseful for the public view. And as I may not be thought altogether an incompetent person for this communication, having been present as a member of parliament in those

councils before and till the breaking out of the rebellion, and having since had the honour to be near two great kings in some trust, so I shall perform the same with all faithfulness and ingenuity; with an equal observation of the faults and infirmities of both sides, with their defects and oversights in pursuing their own ends; and shall no otherwise mention small and light occurrences, than as they have been introductions to matters of the greatest moment; nor speak of persons otherwise, than as the mention of their virtues or vices is essential to the work in hand: in which as I shall have the fate to be suspected rather for malice to many, than of flattery to any, so I shall, in truth, preserve myself from the least sharpness, that may proceed from private provocation, or a more public indignation, in the whole observing the rules that a man should, who deserves to be believed.

I shall not then lead any man farther back in this journey, for the discovery of the entrance into these dark ways, than the beginning of this king's reign. For I am not so sharp-sighted as those, who have discerned this rebellion contriving from (if not before) the death of queen Elizabeth, and fomented by several princes and great ministers of state in Christendom, to the time that it brake out. Neither do I look so far back as believing the design to be so long since formed; (they who have observed the several accidents, not capable of being contrived, which have contributed to the several successes, and do know the persons who have been the grand instruments towards this change, of whom there have not been any four of familiarity and trust with each other, will easily

absolve them from so much industry and foresight in their mischief;) but that, by viewing the temper, disposition, and habit, of that time, of the court and of the country, we may discern the minds of men prepared, of some to do, and of others to suffer, all that hath since happened; the pride of this man, and the popularity of that; the levity of one, and the morosity of another; the excess of the court in the greatest want, and the parsimony and retention of the country in the greatest plenty; the spirit of craft and subtlety in some, and the rude and unpolished integrity of others, too much despising craft or art; like so many atoms contributing jointly to this mass of confusion now before us.

King James in the end of March 1625 died, leaving his majesty that now is, engaged in a war with Spain, but unprovided with money to manage it; though it was undertaken by the consent and advice of parliament: the people being naturally enough inclined to the war (having surfeited with the uninterrupted pleasures and plenty of twenty-two years peace) and sufficiently inflamed against the Spaniard; but quickly weary of the charge of it: and therefore, after an unprosperous and chargeable attempt in a voyage by sea upon Cadiz, and as unsuccessful and more unfortunate a one upon France, at the Isle of Rhé, (for some difference had likewise at the same time begotten a war with that prince,) a general peace was shortly concluded with both kingdoms; the exchequer being so exhausted with the debts of king James, the bounty of his

majesty that now is, (who, upon his first access to the crown, gave many costly instances of his favour to persons near him,) and the charge of the war upon Spain, and France, that both the known and casual revenue being anticipated, the necessary subsistence of the household was unprovided for; and the king on the sudden driven to those straits for his own support, that many ways were resorted to, and inconveniences submitted to, for supply; as selling the crown-lands, creating peers for money, and many other particulars, which no access of power or plenty since could repair.

Parliaments were summoned, and again dissolved: and that in the fourth year (after the dissolution of the two former) was determined with a profession and declaration that there should be no more assemblies of that nature expected, and all men inhibited upon the penalty of censure, so much as to speak of a parliament. And here I cannot but let myself loose to say, that no man can shew me a source, from whence these waters of bitterness we now taste have more probably flowed, than from these unseasonable, unskilful, and precipitate dissolutions of parliaments; in which, by an unjust survey of the passion, insolence, and ambition of particular persons, the court measured the temper and affection of the country; and by the same standard the people considered the honour, justice, and piety of the court; and so usually parted, at those sad seasons, with no other respect and charity one toward the other, than accompanies persons who never meant to meet but in their own defence. In which the king had always the disadvantage to harbour persons about him, who, with their utmost

industry, information, and malice, improved the faults and infirmities of the court to the people; and again, as much as in them lay, rendered the people suspected, if not odious to the king.

I am not altogether a stranger to the passages of those parliaments, (though I was not a member of them,) having carefully perused the journals of both houses, and familiarly conversed with many who had principal parts in them. And I cannot but wonder at those counsels, which persuaded the courses then taken; the habit and temper of men's minds being, no question, very applicable to the public ends; and those ends being only discredited by the jealousies the people entertained from the manner of the prosecution, that they were other, and worse than in truth they were. It is not to be denied, that there were, in all those parliaments, especially in that of the fourth year, several passages, and distempered speeches of particular persons, not fit for the dignity and honour of those places, and unsuitable to the reverence due to his majesty and his councils. But I do not know any formed act of either house (for neither the remonstrance or votes of the last day were such) that was not agreeable to the wisdom and justice of great courts, upon those extraordinary occasions. And whoever considers the acts of power and injustice in the intervals of parliament, will not be much scandalized at the warmth and vivacity of those meetings.

In the second parliament there was a mention, and intention declared, of granting five subsidies, a proportion (how contemptible soever in respect of the pressures now every day imposed) never before

heard of in parliament. And that meeting being, upon very unpopular and unplausible reasons, immediately dissolved, those five subsidies were exacted, throughout the whole kingdom, with the same rigour, as if, in truth, an act had passed to that purpose. Very many gentlemen of prime quality, in all the several counties of England, were, for refusing to pay the same, committed to prison, with great rigour and extraordinary circumstances. And could it be imagined, that these men would meet again in a free convention of parliament, without a sharp and severe expostulation, and inquisition into their own right, and the power that had imposed upon that right? And yet all these provocations, and many other, almost of as large an extent, produced no other resentment, than the petition of right, (of no prejudice to the crown,) which was likewise purchased at the price of five subsidies more, and, in a very short time after that supply granted, that parliament was likewise, with strange circumstances of passion on all sides, dissolved.

The abrupt and ungracious breaking off the two first parliaments was wholly imputed to the duke of Buckingham; and of the third, principally to the lord Weston, then lord high treasurer of England; both in respect of the great power and interest they then had in the affections of his majesty, and for that the time of the dissolutions happened to be, when some charges and accusations were preparing, and ready to be preferred against those two great persons. And therefore the envy and hatred, that attended them thereupon, was insupportable, and was visibly the cause of the murder of the first,

(stabbed to the heart by the hand of an obscure villain, upon the mere impious pretence of his being odious to the parliament,) and made, no doubt, so great an impression upon the understanding and nature of the other, that, by degrees, he lost that temper and serenity of mind he had been before master of, and which was most fit to have accompanied him in his weighty employments: insomuch as, out of indignation to find himself worse used than he deserved, he cared less to deserve well, than he had done; and insensibly grew into that public hatred, that rendered him less useful to the service that he only intended.

I wonder less at the errors of this nature in the duke of Buckingham; who, having had a most generous education in courts, was utterly ignorant of the ebbs and floods of popular councils, and of the winds that move those waters; and could not, without the spirit of indignation, find himself, in the space of a few weeks, without any visible cause intervening, from the greatest height of popular estimation that any person hath ascended to, (insomuch as sir Edward Coke blasphemously called him our Saviour,) by the same breath thrown down to the depth of calumny and reproach. I say, it is no marvel, (besides that he was naturally to follow such counsel as was given him,) that he could think of no better way to be freed of the inconveniences and troubles the passions of those meetings gave him, than to dissolve them, and prevent their coming together: and that, when they seemed to neglect the public peace, out of animosity to him, that he intended his own ease and security in the first place, and easily believed the public

might be otherwise provided for, by more intent and dispassionate councils. But that the other, the lord Weston, who had been very much and very popularly conversant in those conventions, who exactly knew the frame and constitution of the kingdom, the temper of the people, the extent of the courts of law, and the jurisdiction of parliaments, which at that time had never committed any excess of jurisdiction, (modesty and moderation in words never was, nor ever will be, observed in popular councils, whose foundation is liberty of speech,) should believe, that the union, peace, and plenty of the kingdom could be preserved without parliaments, or that the passion and distemper gotten and received into parliaments could be removed and reformed by the more passionate breaking and dissolving them; or that that course would not inevitably prove the most pernicious to himself, is as much my wonder, as any thing that hath since happened.

There is a protection very gracious and just, which princes owe to their servants, when, in obedience to their just commands, upon extraordinary and necessary occasions, in the execution of their trusts, they swerve from the strict rule of the law, which, without that mercy, would be penal to them. In any case, it is as legal (the law presuming it will always be done upon great reason) for the king to pardon, as for the party to accuse, and the judge to condemn. But for the supreme power to interpose, and shelter an accused servant from answering, does not only seem an obstruction of justice, and lay an imputation upon the prince, of being privy to the offence; but leaves so great a scandal

upon the party himself, that he is generally concluded guilty of whatsoever he is charged; which is commonly more than the worst man ever deserved. And it is worthy the observation, that, as no innocent man who made his defence ever suffered in those times by judgment of parliament; so many guilty persons, and against whom the spirit of the time went as high, by the wise managing their defence, have been freed from their accusers, not only without censure, but without reproach; as the bishop of Lincoln, then lord keeper, sir H. Marten, and sir H. Spiller; men, in their several degrees, as little beholden to the charity of that time, as any men since. Whereas scarce a man, who, with industry and skill, laboured to keep himself from being accused, or by power to stop or divert the course of proceeding, scaped without some signal mark of infamy or prejudice. And the reason is clear; for besides that, after the first storm, there is some compassion naturally attends men like to be in misery; and besides the latitude of judging in those places, whereby there is room for kindness and affection, and collateral considerations to interpose; the truth is, those accusations (to which this man contributes his malice, that his wit, all men what they please, and most upon hearsay, with a kind of uncharitable delight of making the charge as heavy as may be) are commonly stuffed with many odious generals, that the proofs seldom make good: and then a man is no sooner found less guilty than he is expected, but he is concluded more innocent than he is; and it is thought but a just reparation for the reproach that he deserved not, to free him from the censure he deserved. So

that, very probably, those two noble persons had been happy, if they had stoutly submitted to the proceedings were designed against them; and, without question, it had been of sovereign use to the king, if, in those peaceable times, parliaments had been taught to know their own bounds, by being suffered to proceed as far as they could go; by which the extent of their power would quickly have been manifested: from whence no inconvenience of moment could have proceeded; the house of commons never then pretending to the least part of judicature, or exceeding the known verge of their own privileges; the house of peers observing the rules of law and equity in their judgments, and proceeding deliberately upon clear testimony and evidence of matter of fact; and the king retaining the sole power of pardoning, and receiving the whole profit of all penalties and judgments; and indeed having so great an influence upon the body of the peerage, that it was never known that any person of honour was severely censured in that house, (before this present parliament,) who was not either immediately prosecuted by the court, or in evident disfavour there; in which, it may be, (as it usually falls out,) some doors were opened, at which inconveniences to the crown have got in, that were not then enough weighed and considered.

But the course of exempting men from prosecution, by dissolving of parliaments, made the power of parliaments much more formidable, as conceived to be without limit; since the sovereign power seemed to be compelled (as unable otherwise to set bounds to their proceedings) to that rough

cure, and to determine their being, because it could not determine their jurisdiction. Whereas, if they had been frequently summoned, and seasonably dissolved, after their wisdom in applying medicines and cures, as well as their industry in discovering diseases, had been discerned, they would easily have been applied to the uses for which they were first instituted; and been of no less esteem with the crown, than of veneration with the people. And so I shall conclude this digression, which I conceived not unseasonable for this place, nor upon this occasion, and return to the time when that brisk resolution was taken of totally declining those conventions; all men being inhibited (as I said before) by proclamation at the dissolution of the parliament in the fourth year, so much as to mention or speak as if a parliament should be called.

And here it will give much light to that which follows, if we take a view of the state of the court and of the council at that time, by which, as in a mirror, we may best see the face of that time, and the affections and temper of the people in general.

And for the better taking this prospect, we will take a survey of the person of that great man, the duke of Buckingham, (who was so barbarously murdered at this time,) whose influence had been unfortunate in the public affairs, and whose death produced a change in all the counsels. The duke was indeed a very extraordinary person; and never any man, in any age, nor, I believe, in any country or nation, rose, in so short a time, to so much greatness of honour, fame, and fortune, upon no other advantage or recommendation, than of the

beauty and gracefulness and becomingness of his person. And I have not the least purpose of undervaluing his good parts and qualities, (of which there will be occasion shortly to give some testimony,) when I say, that his first introduction into favour was purely from the handsomeness of his person.

He was the younger son of sir George Villiers, of Brookesby, in the county of Leicester; a family of an ancient extraction, even from the time of the conquest, and transported then with the conqueror out of Normandy, where the family hath still remained, and still continues with lustre. After sir George's first marriage, in which he had two or three sons, and some daughters, who shared an ample inheritance from him; by a second marriage, with a young lady of the family of the Beaumonts, he had this gentleman, and two other sons and a daughter, who all came afterwards to be raised to great titles and dignities. George, the eldest son of this second bed, was, after the death of his father, by the singular affection and care of his mother, who enjoyed a good jointure in the account of that age, well brought up; and, for the improvement of his education, and giving an ornament to his hopeful person, he was by her sent into France; where he spent two or three years in attaining the language, and in learning the exercises of riding and dancing; in the last of which he excelled most men, and returned into England by the time he was twenty-one years old.

King James reigned at that time; and though he was a prince of more learning and knowledge than any other of that age, and really delighted

more in books, and in the conversation of learned men; yet, of all wise men living, he was the most delighted and taken with handsome persons, and with fine clothes. He began to be weary of his favourite, the earl of Somerset, who was the only favourite that kept that post so long, without any public reproach from the people: and, by the instigation and wickedness of his wife, he became, at least, privy to a horrible murder, that exposed him to the utmost severity of the law, (the poisoning of sir Thomas Overbury,) upon which both he and his wife were condemned to die, after a trial by their peers; and many persons of quality were executed for the same.

Whilst this was in agitation, and before the utmost discovery was made, Mr. Villiers appeared in court, and drew the king's eyes upon him. There were enough in the court enough angry and incensed against Somerset, for being what themselves desired to be, and especially for being a Scotsman, and ascending, in so short a time, from being a page, to the height he was then at, to contribute all they could to promote the one, that they might throw out the other: which being easily brought to pass, by the proceeding of the law upon his crime aforesaid, the other found very little difficulty in rendering himself gracious to the king, whose nature and disposition was very flowing in affection towards persons so adorned. Insomuch that, in few days after his first appearance in court, he was made cupbearer to the king; by which he was naturally to be much in his presence, and so admitted to that conversation and discourse, with which that prince always abounded at his meals.

And his inclination to his new cupbearer disposed him to administer frequent occasions of discoursing of the court of France, and the transactions there, with which he had been so lately acquainted, that he could pertinently enlarge upon that subject, to the king's great delight, and to the reconciling the esteem and value of all the standers by likewise to him: which was a thing the king was well pleased with. He acted very few weeks upon this stage, when he mounted higher; and, being knighted, without any other qualification, he was at the same time made gentleman of the bedchamber, and knight of the order of the garter; and in a short time (very short for such a prodigious ascent) he was made a baron, a viscount, an earl, a marquis, and became lord high admiral of England, lord warden of the cinque ports, master of the horse, and entirely disposed of all the graces of the king, in conferring all the honours and all the offices of the three kingdoms, without a rival; in dispensing whereof, he was guided more by the rules of appetite than of judgment; and so exalted almost all of his own numerous family and dependants, who had no other virtue or merit than their alliance to him, which equally offended the ancient nobility, and the people of all conditions, who saw the flowers of the crown every day fading and withered; whilst the demesnes and revenue thereof was sacrificed to the enriching a private family, (how well soever originally extracted,) not heard of before ever to the nation; and the expenses of the court so vast and unlimited by the old good rules of economy, that they had a sad prospect of that poverty and necessity, which

afterwards befell the crown, almost to the ruin of it.

Many were of opinion, that king James, before his death, grew weary of his favourite; and that, if he had lived, he would have deprived him at least of his large and unlimited power. And this imagination prevailed with some men, as the lord keeper Lincoln, the earl of Middlesex, lord high treasurer of England, and other gentlemen of name, though not in so high stations, that they had the courage to withdraw from their absolute dependence upon the duke, and to make some other essays, which proved to the ruin of every one of them; there appearing no marks, or evidence, that the king did really lessen his affection to him, to the hour of his death. On the contrary, as he created him duke of Buckingham in his absence, whilst he was with the prince in Spain; so, after his return, he executed the same authority in conferring all favours and graces, and revenging himself upon those, who had manifested any unkindness towards him. And yet, notwithstanding all this, if that king's nature had equally disposed him to pull down, as to build and erect, and if his courage and severity in punishing and reforming had been as great as his generosity and inclination was to oblige, it is not to be doubted, but that he would have withdrawn his affection from the duke entirely, before his death; which those persons, who were admitted to any privacy with [him,] and were not in the confidence of the other, (for before those he knew well how to dissemble,) had reason enough to expect.

For it is not to be doubted, that the king was

never well pleased with the duke, after the prince's going into Spain; which was infinitely against his will, and contrived wholly by the duke: who, out of envy, that the earl of Bristol should have the sole management of so great an affair, (as hitherto that treaty had been wholly managed by him in Spain, where he was now extraordinary ambassador, and all particulars agreed upon,) had one day insinuated to the prince the common misfortune of princes, that in so substantial a part of their happiness in this world, as depended upon their marriage, themselves had never any part, but must receive only an account from others of the nature, and humour, and beauty of the ladies they were to marry; and those reports seldom proceeded from persons totally uninterested, at least uninclined from the parts they had acted towards such preparations. From hence [he] discoursed how gallant and how brave a thing it would be, for his highness to make a journey into Spain, and to fetch home his mistress; that it would put an end presently to all those formalities, which, (though all substantial matters were agreed upon already,) according to the style of that court, and the slow progress in all things of ceremony, might yet long retard the infanta's voyage into England many months; all which would be in a moment removed by his own presence; that it would be such an obligation to the infanta herself, as she could never enough value or requite; and being a respect never paid by any other prince, upon the like addresses, could proceed only from the high regard and reverence he had for her person; that in the great affair that only remained undetermined, and was not entirely

yielded to, though under a very civil deliberation, which was the restoring the palatinate, it was very probable, that the king of Spain himself might choose, in the instant, to gratify his personal interposition, which, in a treaty with an ambassador, might be drawn out in length, or attended with overtures of recompense by some new concessions, which would create new difficulties: however, that the mediation could not but be frankly undertaken by the infanta herself, who would ambitiously make it her work to pay a part of her great debt to the prince; and that he might with her, and by her, present to his majesty the entire peace and restitution of his family, which by no other human means could be brought to pass.

These discourses made so deep impression upon the mind and spirit of the prince, (whose nature was inclined to adventures,) that he was transported with the thought of it, and most impatiently solicitous to bring it to pass. The greatest difficulty that was in view was, how they might procure the king's consent, who was very quicksighted in discerning difficulties and raising objections, and very slow in mastering them, and untying the knots he had made: in a word, he knew not how to wrestle with desperate contingencies, and so abhorred the being entangled in such. This was to be first attempted by the prince himself, by communicating it to the king, as his earnest desire and suit, with this circumstance; that since his doing or not doing what he most desired, depended wholly and entirely upon his majesty's own approbation and command, that he would vouchsafe to promise not to communicate the thing proposed, before he had first taken his

own resolution; and that this condition should be first humbly insisted on, before the substantial point should be communicated; and so, this approach being first made, the success and prosecution was to be left to the duke's credit, dexterity, and cultivation. All things being thus concerted between his highness and the duke, (and this the beginning of an entire confidence between them, after a long time of declared jealousy and displeasure on the prince's part, and occasion enough administered on the other,) they shortly found a fit opportunity (and there were seasons when that king was to be approached more hopefully than in others) to make their address together. And his majesty cheerfully consented to the condition, and being well pleased that all should depend upon his will, frankly promised that he would not, in any degree, communicate to any person the matter, before he had taken, and communicated to them, his own resolution.

The prince then, upon his knees, declared his suit and very importunate request, the duke standing a long time by, without saying a word, and until the king discoursed the whole matter to the prince, with less passion than they expected, and then looked upon the duke, as inclined to hear what he would say; who spoke nothing to the point, whether in point of prudence counsellable, or not; but enlarged upon the infinite obligation his majesty would confer upon the prince, by his concession of the violent passion his highness was transported with; and, after many exalted expressions to that purpose, concluded, that he doubted that his majesty refusing to grant the prince this his humble request would

make a deep impression upon his spirits, and peace of mind; and that he would, he feared, look upon it as the greatest misfortune and affliction that could befall him in this world. The prince then taking the opportunity, from the good temper he saw his father in, to enlarge upon these two points, which he knew were most important in the king's own wishes and judgment, that this expedient would put a quick end to this treaty, which could not be continued after his arrival in that court; but that his marriage must presently ensue, which he well knew the king did the most impatiently desire of all blessings in this world: he said likewise, he would undertake (and he could not but be believed from the reasonableness of it) that his presence would in a moment determine the restitution of the palatinate to his brother and sister; which was the second thing the king longed most passionately to see before he should leave this world.

These discourses, urged with all the artifice and address imaginable, so far wrought upon and prevailed with the king, that, with less hesitation than his nature was accustomed to, and much less than was agreeable to his great wisdom, he gave his approbation, and promised that the prince should make the journey he was so much inclined to: whether he did not upon the sudden comprehend the consequences, which would naturally attend such a rash undertaking, or whether he the less considered them, because the provisions, which must be made for such a journey, both with reference to the expense and security of it, would take up much time, and could not be done in such a secret way, but that the counsel itself might be

resumed again, when new measures should be taken. But this imagination was too reasonable not to be foreseen by them; and so they had provided themselves accordingly. And therefore, as soon as they had the king's promise upon the main, they told him, the security of such a design depended on the expedition, without which there could be no secresy observed, or hoped for; that, if it were deferred till such a fleet could be made ready, and such an equipage prepared, as might be fit for the prince of Wales, so much time would be spent, as would disappoint the principal ends of the journey: if they should send for a pass to France, the ceremony in the asking and granting it, and that which would flow from it, in his passage through that kingdom, would be at least liable to the same objection of delay: besides that, according to the mysteries and intrigues of state, such a pass could not in point of security be reasonably depended upon; and therefore they had thought of an expedient, which would avoid all inconveniences and hazards; and that it should be executed before it should be suspected: that it had never hitherto been, in the least degree, consulted but between themselves, (which was really true;) and therefore, if they now undertook the journey only with two servants, woh should not know any thing till the moment they were to depart, they might easily pass through France, before they should be missed at Whitehall: which was not hard to be conceived, and so with the less disquisition was consented to by the king: and the farther deliberation of what was more to be done both in matter and manner, and the nomination of the persons who should attend

them, and the time for their departure, was deferred to the consultation of the next day.

When the king, in his retirement, and by himself, came to revolve what had been so loosely consulted before, as he had a wonderful sagacity in such reflections, a thousand difficulties and dangers occurred to him, and so many precipices, which could hardly be avoided in such a journey. Besides those considerations, which the violent affection of a father to his only son suggested to him, he thought how ill an influence it might have on his people, too much disposed to murmur and complain of the least inadvertisement, and that they looked upon the prince as the son of the kingdom, as well as his natural son. He considered the reputation he should lose with all foreign princes, (especially if any ill accident should happen,) by so much departing from his dignity in exposing the immediate heir of the crown, his only son, to all the dangers, and all the jealousies, which particular malice, or that fathomless abyss of reason of state, might prepare and contrive against him; and then, in how desperate a condition himself and his kingdoms should remain, if the prince miscarried by such an unparalleled weakness of his, contrary to the light of his understanding, as well as the current of his affection.

These reflections were so terrible to him, that they robbed him of all peace and quiet of mind; insomuch as when the prince and duke came to him about the despatch, he fell into a great passion of tears, and told them that he was undone, and that it would break his heart, if they pursued their resolution; that, upon a true and dispassionate dis-

quisition he had made with himself, he was abundantly convinced, that, besides the almost inevitable hazards of the prince's person, with whom his life was bound up, and besides the entire loss of the affections of his people, which would unavoidably attend this rash action, he foresaw it would ruin the whole design, and irrecoverably break the match. For whereas all those particulars, upon which he could positively and of right insist, were fully granted, (for that, which concerned the prince elector, who had unexcusably, and directly against his advice, incurred the ban of the empire in an imperial diet, must be wrought off by mediation and treaty, could not be insisted on in justice,) nor could Spain make any new demands, all the overtures they had made being adjusted; the prince should no sooner arrive at Madrid, than all the articles of the treaty should be laid aside, and new matters be proposed, which had not been yet mentioned, and could never be consented to by him: that the treaty of this marriage, how well soever received, and how much soever desired by the king and his chief ministers, was in no degree acceptable to the Spanish nation in general, and less to the court of Rome, where, though the new pope seemed more inclined to grant the dispensation than his predecessor had been, it was plain enough, that it proceeded only from the apprehension he had to displease the king of Spain, not that he was less averse from the match, it having been always believed, both in Spain and in Rome, that this marriage was to be attended with a full repeal of all the penal laws against the catholics, and a plenary toleration of the exercise of that religion in England,

which they now saw concluded, without any signal or real benefit or advantage to them. And therefore they might expect, and be confident, that when they had the person of the prince of Wales in their hands, the king of Spain (though in his own nature and inclinations full of honour and justice) would be even compelled by his clergy (who had always a great influence upon the counsels of that kingdom) and the importunities from Rome, who would tell him, that God had now put it into his hand to advance the catholic cause, to make new demands for those of that religion here; which, though he could never consent to, would at best interpose such delays in the marriage, that he should never live to see it brought to pass, nor probably to see his son return again out of Spain. Then he put the duke in mind (whom he hitherto believed only to comply with the prince to oblige him, after a long alienation from his favour) how inevitable his ruin must be, by the effect of this counsel, how ungracious he was already with the people, and how many enemies he had amongst the greatest persons of the nobility, who would make such use of this occasion, that it would not be in his majesty's power to protect him. And he concluded with the disorder and passion, with which he began, with sighs and tears, to conjure them, that they would no more press him to give his consent to a thing so contrary to his reason, and understanding, and interest, the execution whereof would break his heart, and that they would give over any further pursuit of it.

The prince and the duke took not the pains to answer any of the reasons his majesty had insisted on; his highness only putting him in mind of the

promise he had made to him the day before, which was so sacred, that he hoped he would not violate it; which would make him never think more of marriage. The duke, who better knew what kind of arguments were of prevalence with him, treated him more rudely; told him, nobody could believe any thing he said, when he retracted so soon the promise he had so solemnly made; that he plainly discerned, that it proceeded from another breach of his word, in communicating with some rascal, who had furnished him with those pitiful reasons he had alleged; and he doubted not but he should hereafter know who his counsellor had been: that if he receded from what he had promised, it would be such a disobligation upon the prince, who had set his heart now upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it.

The prince, who had always expressed the highest duty and reverence towards the king, by his humble and importunate entreaty, and the duke by his rougher dialect, in the end prevailed so far, (after his majesty had passionately, and with many oaths, renounced the having communicated the matter with any person living,) that the debate was again resumed upon the journey, which they earnestly desired might not be deferred, but that they might take their leaves of the king within two days, in which they would have all things ready which were necessary, his highness pretending to hunt at Theobald's, and the duke to take physic at Chelsea.

They told him, that being to have only two more in their company, as was before resolved, they had thought (if he approved them) upon sir Francis

Cottington and Endymion Porter, who, though they might safely, should not be trusted with the secret, till they were even ready to be embarked. The persons were both grateful to the king, the former having been long his majesty's agent in the court of Spain, and was now secretary to the prince; the other, having been bred in Madrid, and after many years attendance upon the duke, was now one of the bedchamber to the prince: so that his majesty cheerfully approved the election they had made, and wished it might be presently imparted to them; saying, that many things would occur to them, as necessary to the journey, that they two would never think of; and took that occasion to send for sir Francis Cottington to come presently to him, (whilst the other two remained with him,) who, being of custom waiting in the outward rooms, was quickly brought in; whilst the duke whispered the prince in the ear, that Cottington would be against the journey, and his highness answered he durst not.

The king told him, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not upon his life to disclose to any man alive; then said to him, "Cottington, here is baby Charles " and Stenny," (an appellation he always used of and towards the duke,) " who have a great mind to " go by post into Spain, to fetch home the infanta, " and will have but two more in their company, " and have chosen you for one. What think you " of the journey?" He often protested, that when he heard the king, he fell into such a trembling, that he could hardly speak. But when the king commanded him to answer him, what he thought

of the journey, he replied, that he could not think well of it, and that he believed it would render all that had been done towards the match fruitless: for that Spain would no longer think themselves obliged by those articles, but that, when they had the prince in their hands, they would make new overtures, which they believed more advantageous to them; amongst which they must look for many which would concern religion, and the exercise of it in England. Upon which the king threw himself upon his bed, and said, "I told you this before," and fell into new passion and lamentation, that he was undone, and should lose baby Charles.

There appeared displeasure and anger enough in the countenances both of the prince and duke; the latter saying, that as soon as the king sent for him, he whispered the prince in the ear, that he would be against it; that he knew his pride well enough; and that, because he had not been first advised with, he was resolved to dislike it; and thereupon he reproached Cottington with all possible bitterness of words; told him the king asked him only of the journey, and which would be the best way, of which he might be a competent counsellor, having made the way so often by post: but that he had the presumption to give his advice upon matter of state, and against his master, without being called to it, which he should repent as long as he lived; with a thousand new reproaches, which put the poor king into a new agony on the behalf of a servant, who he foresaw would suffer for answering him honestly. Upon which he said, with some commotion, "Nay, by God, Stenny, you are very much "to blame to use him so. He answered me di-

" rectly to the question I asked him, and very " honestly and wisely: and yet you know he said " no more than I told you, before he was called in." However, after all this passion on both parts, the king yielded, and the journey was at that very conference agreed upon, and all directions given accordingly to sir Francis Cottington; the king having now plainly discovered, that the whole intrigue was originally contrived by the duke, and so violently pursued by his spirit and impetuosity.

The manner, circumstances, and conclusion of that voyage, with the rare accidents which happened in it, will no doubt be at large remembered by whosoever shall have the courage to write the transactions of that time, with that integrity he ought to do: in which it will manifestly appear, how much of the prophet was in the wisdom of the king; and that that designed marriage, which had been so many years in treaty, even from the death of prince Harry, and so near concluded, was solely broken by that journey: which, with the passages before mentioned, king James never forgave the duke of Buckingham; but retained as sharp a memory of it as his nature could contain.

This indisposition in the king towards the duke was exceedingly increased and aggravated upon and after the prince's return out of Spain. For though it brought infinite joy and delight to his majesty, which he expressed in all imaginable transportation, and was the argument of the loudest and most universal rejoicing over the whole kingdom, that the nation had ever been acquainted with; in which the duke had so full a harvest, that the imprudence and presumption (to say no more) of car-

rying the prince into Spain was totally forgotten, or forgotten with any reference to him, and the high merit and inestimable obligation, in bringing him home, was remembered, magnified, and celebrated by all men in all places; yet the king was wonderfully disquieted, when he found (which he had not before their return suspected) that the prince was totally aliened from all thoughts of, or inclination to, the marriage; and that they were resolved to break it, with or without his approbation or consent. And in this the duke resumed the same impetuosity he had so much indulged to himself in the debate of the journey into Spain.

The king had, upon the prince's return, issued out writs to call a parliament, which was in the twenty-first year of his reign, thinking it necessary, with relation to the perplexities he was in, for the breach of this match with Spain, (which he foresaw must ensue,) and the sad condition of his only daughter in Germany, with her numerous issue, to receive their grave advice. By the time the parliament could meet, the prince's entire confidence being still reposed in the duke, as the king's seemed to be, the duke had wrought himself into the very great esteem and confidence of the principal members of both houses of parliament, who were most like to be the leading men, and had all a desire to have as much reputation in the court, as they had in the country. It was very reasonably thought necessary, that as the king would, at the opening of the parliament, make mention of the treaty with Spain, and more at large of his daughter's being driven out of the palatinate, which would require their assistance and aid; so that the prince and

duke should afterwards, to one or both houses, as occasion should be offered, make a relation of what had passed in Spain, especially concerning the palatinate: that so putting the houses into some method and order of their future debate, they would be more easily regulated, than if they were in the beginning left to that liberty, which they naturally affected, and from which they would not be restrained, but in such a manner as would be grateful to themselves.

Things being thus concerted, after the houses had been three or four days together, (for in that time some days were always spent in the formality of naming committees, and providing for common occurrences, before they made an entrance upon more solemn debates,) the prince began to speak of the Spanish affairs, and of his own journey thither; and forgot not to mention the duke with more than ordinary affection. Whereupon it was thought fit, that the whole affair, which was likewise to be the principal subject matter of all their consultations, should be stated and enlarged upon, in a conference between the two houses, which his highness and the duke were desired to manage. How little notice soever any body else could take of the change, the duke himself too well knew the hearty resentment the king had of what had passed, and of the affection he still had for the Spanish treaty; and therefore he had [done], and resolved still to do, all he could, to make himself grateful to the parliament, and popular amongst the people, who he knew had always detested the match with Spain, or in truth any alliance with that nation.

So when, at the conference, the prince had made

a short introduction to the business, and said some very kind things of the duke, of his wonderful care of him whilst he was in Spain, and the great dexterity he used in getting him away, he referred the whole relation to him; who made "the true ground "of the prince's journey into Spain, which he well "knew had begot such a terrible panting in the "hearts of all good Englishmen, had been only to "make a clear discovery of the sincerity of the "Spaniard, and, if his intention were real, to put "a speedy end to it by marrying the lady upon the "place: if he found it otherwise, to put his father "and himself into liberty to dispose of himself in "some other place. That the ambassador, in whose "hands that great affair was solely managed, when "in one despatch he wrote that all was concluded, "in the next used to give an account of new diffi-"culties, and new demands: and, when all things "were adjusted at Madrid, some unexpected scru-"ples discovered themselves at Rome, with which "the councils in Spain seemed to be surprised, "and appeared to be confounded, and not to know "what to say. These ebbs and floods made the "prince apprehend, that the purpose was to amuse "us, whilst they had other designs in secret agita-"tion. And thereupon, that his highness had pre-"vailed with his father (how unwilling soever) to "permit him to make that journey, that he might "make that useful discovery, which could not be "otherwise made in any seasonable time.

"That they no sooner came to Madrid, than "they discovered (though the prince was treated "with all the respect due to his greatness, and the "obligation he had laid upon that nation) that

" there had never been any real purpose that the " infanta should be given to him: that, during so " long an abode as his highness made there, they " had never procured the dispensation from Rome, " which they might easily have done: and that, at " last, upon the death of the pope, Gregory XV, the " whole process was to begin again, and would be " transacted with the formalities, which they should " find necessary to their other affairs. That, instead " of proceeding upon the articles, which had been " pretended to be concluded, they urged nothing " but new demands, and in matters of religion so " peremptorily, that the principal clergymen, and " the most eminent of that king's preachers, had " frequent conferences with the prince, to persuade " him to change his religion, and become a catholic. " And, in order to move him the more successfully " thereunto, they procured the pope to write a " letter himself to his highness, putting him in " mind of the religion of his ancestors and pro- " genitors, and conjuring him to return to the same " faith: but that it had pleased God not only to " give the prince a constant and unshakable heart " in his religion, but such wonderful abilities to " defend the same in his discourse and arguments, " that they stood amazed to hear him, and upon " the matter confessed, that they were not able to " answer him.

" That they would not suffer the prince to confer " with, or so much as to speak to hardly, and very " rarely to see his mistress, who they pretended he " should forthwith marry. That they could never " obtain any better answer in the business of the " palatinate, than that the restoring it was not in

" the power of that king, though it had been taken
" by the sole power of Spain, and the Spanish army,
" under the command of the marquis Spinola, who
" was then in the entire possession of it: but that
" his catholic majesty would use his interposition,
" with all the credit he had with the emperor and
" duke of Bavaria, without whose joint consent it
" could not be done, and whose consent he hoped
" to obtain: but that he was well assured, that there
" was no more real intention in that point of resti-
" tution, than in the other of the marriage; and
" that the palatinate must not be looked to be re-
" covered any other way than by force, which would
" easily bring it to pass."

Throughout his whole discourse he made frequent reflections upon the earl of Bristol, as if he very well knew the Spaniards' purposes in the whole, and concurred with them in it. " That he was so
" much troubled when he first saw the prince, who
" alighted at his house, that he could not contain
" himself, but wished that his highness were at
" home again; that he had afterwards, when he
" found that his highness liked the infanta, per-
" suaded him in private that he would become a
" catholic; and that, without changing his religion,
" it would not be possible ever to compass that
" marriage."

He told them, " That the king had sent for the
" earl to return home, where he should be called to
" account for all his miscarriages." Whereas in truth the king had recalled him rather to assist him against the duke, than to expose him to his malice and fury; his majesty having a great esteem of that earl's fidelity to him, and of his great abilities.

The conference ended in a wonderful applause, in both houses, of the prince and duke's behaviour and carriage throughout the affair, and in a hasty resolution to dissuade the king from entertaining any farther motions towards the match, and frankly and resolutely to enter into a war with Spain; towards the carrying on of which they raised great mountains of promises, and, prevailing in the first, never remembered to make good the latter; which too often falls out in such counsels.

When king James was informed of what the duke had so confidently avowed, for which he had no authority, or the least direction from him, and a great part whereof himself knew to be untrue; and that he had advised an utter breach of the treaty, and to enter upon a war with Spain, he was infinitely offended; so that he wanted only a resolute and brisk counsellor to assist him in destroying him: and such a one he promised himself in the arrival of the earl of Bristol, whom he expected every day.

He had another exception against the duke, which touched him as near, and in which he enlarged himself much more. Lionel Cranfeild, who, though extracted from a gentleman's family, had been bred in the city, and, being a man of great wit and understanding in all the mysteries of trade, had found means to work himself into the good opinion and favour of the duke of Buckingham; and having shortly after married a near ally of the duke's, with wonderful expedition was made a privy-counsellor, master of the wardrobe, master of the wards, and, without parting with any of these, was now become lord high treasurer of England, and earl of Middlesex, and had in truth gained so much credit with the

king, (being in truth a man of great parts and notable dexterity,) that, during the duke's absence in Spain, he was not only negligent in the issuing out such sums of money as were necessary to the defraying those unlimited expenses, and to correspond with him with that deference he had used to do, but had the courage to dispute his commands, and to appeal to the king, whose ear was always inclined to him, and in whom he began to believe himself so far fastened, that he should not stand in need of the future support of the favourite. And of all this the duke could not be without ample information, as well from his own creatures, who were near enough to observe, as from others; who, caring for neither of them, were more scandalized at so precipitate a promotion of a person of such an education, and whom they had long known so much their inferior, though it could not be denied, that he filled the places he held with great abilities.

The duke no sooner found the parliament disposed to a good opinion of him, and being well assured of the prince's fast kindness, than he projected the ruin of this bold rival of his, of whom he saw clearly enough that the king had so good an opinion, that it would not be in his sole power to crush him, as he had done others in the same and as high a station. And so he easily procured some leading men in the house of commons, to cause an impeachment for several corruptions and misdemeanours to be sent up to the house of peers against that great minister, whom they had so lately known their equal in that house; which (besides their natural inclination to those kinds of executions) disposed them with great alacrity to the prosecution.

The wise king knew well enough the ill consequence that must attend such an activity; and that it would shake his own authority in the choice of his own ministers, when they should find, that their security did not depend solely upon his own protection: which breach upon his kingly power was so much without a precedent, (except one unhappy one made three years before, to gratify likewise a private displeasure,) that the like had not been practised in some hundred of years, and never in such a case as this.

When this prosecution was first entered upon, and that the king clearly discerned that it was contrived by the duke, and that he had likewise prevailed with the prince to be well pleased with it; his majesty sent for them, and with much warmth and passion dissuaded them from appearing farther in it; and conjured them "to use all their interest "and authority to restrain it, as such a wound to "the crown, that would not be easily healed." And when he found the duke unmoved by all the considerations, and arguments, and commands he had offered, he said, in great choler, "By God, Stenny, "you are a fool, and will shortly repent this folly, "and will find, that, in this fit of popularity, you "are making a rod, with which you will be scourged "yourself." And turning in some anger to the prince, told him, "That he would live to have his "bellyful of parliaments: and that when he should "be dead, he would have too much cause to re-"member, how much he had contributed to the "weakening of the crown, by this precedent he "was now so fond of;" intending as well the engaging the parliament in the war, as the prosecution of the earl of Middlesex.

But the duke's power (supported by the prince's countenance) was grown so great in the two houses, that it was in vain for the king to interpose; and so (notwithstanding so good a defence made by the earl, that he was absolved from any notorious crime by the impartial opinion of many of those who heard all the evidence) he was at last condemned in a great fine to a long and strict imprisonment, and never to sit in parliament during his life: a clause of such a nature as was never before found in any judgment of parliament, and, in truth, not to be inflicted upon any peer but by attainder.

And how alienated soever the king's affection was in truth from the duke, upon these three provocations; 1. The prince's journey into Spain; 2. The engaging the parliament to break the match and treaty with Spain, and to make a war against that crown; and, 3. The sacrificing the earl of Middlesex in such a manner, upon his own animosity; yet he was so far from thinking fit to manifest it, (except in whispers to very few men,) that he was prevailed with to restrain the earl of Bristol upon his first arrival, without permitting him to come into his presence, which he had positively promised, and resolved to do; and in the end suffered his attorney general to exhibit a charge of high treason, in his majesty's name, against the said earl, who was thereupon committed to the Tower; but so little dejected with it, that he answered the articles with great steadiness and unconcernedness, and exhibited another charge of high treason against the duke in many particulars.

And in this order and method the war was

hastily entered into against Spain, and a new treaty set on foot for the prince of Wales with the daughter of France; which was quickly concluded, though not executed till after the death of king James; who, in the spring following, after a short indisposition by the gout, fell into a quartan ague, which, meeting many humours in a fat, unwieldy body of [fifty-eight] years old, in four or five fits carried him out of the world. After whose death many scandalous and libellous discourses were raised, without the least colour or ground; as appeared upon the strictest and malicious examination that could be made, long after, in a time of license, when nobody was afraid of offending majesty, and when prosecuting the highest reproaches and contumelies against the royal family was held very meritorious.

Upon the death of king James, Charles prince of Wales succeeded to the crown, with as universal a joy in the people as can be imagined, and in a conjuncture, when all the other parts of Christendom, being engaged in war, were very solicitous for his friendship; and the more, because he had already discovered an activity, that was not like to suffer him to sit still. The duke continued in the same degree of favour at the least with the son, which he had enjoyed so many years under the father. Which was a rare felicity; seldom known, and in which the expectation of very many was exceedingly disappointed; who, knowing the great jealousy and indignation that the prince had heretofore had against the duke, insomuch as he was once very near striking him, expected that he would now remember that insolence, of which he

then so often complained; without considering the opportunity the duke had, by the conversation with the prince, during his journey into Spain, (which was so grateful to him,) and whilst he was there, to wipe out the memory of all former oversights, by making them appear to be of a less magnitude than they had been understood before, and to be excusable from other causes, still being severe enough to himself for his unwary part, whatsoever excuses he might make for the excess; and by this means to make new vows for himself, and to tie new knots to restrain the prince from future jealousies. And it is very true, his hopes in this kind never failed him; the new king, from the death of the old even to the death of the duke himself, discovering the most entire confidence in, and even friendship to him, that ever king had shewed to any subject: all preferments in church and state given by him; all his kindred and friends promoted to the degree in honour, or riches, or offices, as he thought fit, and all his enemies and enviers discountenanced, and kept at that distance from the court as he appointed.

But a parliament was necessary to be called, as at the entrance of all kings to the crown, for the continuance of some supplies and revenue to the king, which have been still used to be granted in that season. And now he quickly found how prophetic the last king's predictions had, and were like to prove. The parliament that had so furiously advanced the war, and so factiously adhered to his person, was now no more; and though the house of peers consisted still of the same men, and most of the principal men of the house of commons were

again elected to serve in this parliament, yet they were far from wedding the war, or taking themselves to be concerned to make good any declarations made by the former: so that, though the war was entered in, all hope of obtaining money to carry it on was even desperate; and the affection they had for the duke, and confidence in him, was not then so manifest, as the prejudice they had now, and animosity against him, was visible to all the world: all the actions of his life ripped up and surveyed, and all malicious glosses made upon all he had said and all he had done: votes and remonstrances passed against him as an enemy to the public; and his ill management made the ground of their refusal to give the king that supply he had reason to expect, and was absolutely necessary to the state he was in. And this kind of treatment was so ill suited to the duke's great spirit, which indeed might easily have been bowed, but could very hardly be broken, that it wrought contrary effects upon his high mind, and his indignation, to find himself so used by the same men. For they who flattered him most before, mentioned him now with the greatest bitterness and acrimony; and the same men who had called him our saviour, for bringing the prince safe out of Spain, called him now the corrupter of the king, and betrayer of the liberties of the people, without imputing the least crime to him, to have been committed since the time of that exalted adulation, or that was not then as much known to them, as it could be now; so fluctuating and unsteady a testimony is the applause of popular councils.

This indignation, I say, so transported the duke,

that he thought it necessary to publish and manifest a greater contempt of them than he should have done; causing this and the next parliament to be quickly dissolved, as soon as they seemed to entertain counsels not grateful to him, and before he could well determine and judge what their temper was in truth like to prove: and upon every dissolution, such who had given any offence were imprisoned or disgraced; new projects were every day set on foot for money, which served only to offend and incense the people, and brought little supply to the king's occasions, yet raised a great stock for expostulation, murmur, and complaint, to be exposed when other supplies should be required. And many persons of the best quality and condition under the peerage were committed to several prisons, with circumstances unusual and unheard of, for refusing to pay money required by those extraordinary ways; and the duke himself would passionately say, and frequently do, many things, which only grieved his friends and incensed his enemies, and gave them as well the ability as the inclination to do him much harm.

In this fatal conjuncture, and after several costly embassies into France, in the last of which the duke himself went, and brought triumphantly home with him the queen, to the joy of the nation; in a time, when all endeavours should have been used to have extinguished that war, in which the kingdom was so unhappily engaged against Spain, a new war was as precipitately declared against France; and the fleet, that had been unwarily designed to have surprised Cales, under a general very unequal to that great work, was no sooner returned without suc-

cess, and with much damage, than the fleet was repaired, and the army reinforced for the invasion of France; in which the duke was general himself, and made that notable descent upon the Isle of Rhé, which was quickly afterwards attended with many unprosperous attempts, and then with a miserable retreat, in which the flower of the army was lost. So that how ill soever Spain and France were inclined to each other, they were both mortal enemies to England; whilst England itself was so totally taken up with the thought of revenge upon the person who they thought had been the cause of their distress, that they never considered, that the sad effects of it (if not instantly provided against) must inevitably destroy the kingdom; and gave no truce to their rage, till the duke finished his course by the wicked means mentioned before in the fourth year of the king, and the thirty-sixth of his age.

John Felton, an obscure person, who had been bred a soldier, and lately a lieutenant of a foot company, whose captain had been killed upon the retreat at the Isle of Rhé, upon which he conceived that the company of right ought to have been conferred upon him, and it being refused to him by the duke of Buckingham, general of the army, he had given up his commission of lieutenant, and withdrawn himself from the army. He was of a melancholic nature, and had little conversation with anybody, yet of a gentleman's family in Suffolk, of good fortune and reputation. From the time that he had quitted the army, he resided in London; when the house of commons, transported with passion and prejudice against the

duke of Buckingham, had accused him to the house of peers for several misdemeanours and miscarriages, and in some declaration had styled him, "the cause of all the evils the kingdom suffered, "and an enemy to the public."

Some transcripts of such expressions, (for the late license of printing all mutinous and seditious discourses was not yet in fashion,) and some general invectives he met with amongst the people, to whom that great man was not grateful, wrought so far upon this melancholic gentleman, that, by degrees, and (as he said upon some of his examinations) by frequently hearing some popular preachers in the city, (who were not yet arrived at the presumption and impudence they have been since transported with,) he believed he should do God good service, if he killed the duke; which he shortly after resolved to do. He chose no other instrument to do it with than an ordinary knife, which he bought of a common cutler for a shilling: and, thus provided, he repaired to Portsmouth, where he arrived the eve of St. Bartholomew. The duke was then there, in order to the preparing and making ready the fleet and the army, with which he resolved in few days to transport himself to the relief of Rochelle, which was then straitly besieged by the cardinal of Richelieu; and for relief whereof the duke was the more obliged, by reason that, at his being at the Isle of Rhé, he had received great supplies of victual, and some companies of their garrison from that town, the want of both which they were at this time very sensible of, and grieved with.

This morning of St. Bartholomew the duke had

received letters, in which he was advertised that Rochelle had relieved itself; upon which he directed that his breakfast might speedily be made ready, and he would make haste to acquaint the king with the good news, the court being then at Southwick, the house of sir Daniel Norton, five miles from Portsmouth. The chamber wherein he was dressing himself was full of company, of persons of quality, and officers of the fleet and army.

There was monsieur de Soubize, brother to the duke of Rohan, and other French gentlemen, who were very solicitous for the embarkation of the army, and for the departure of the fleet for the relief of Rochelle; and they were at this time in much trouble and perplexity, out of apprehension that the news the duke had received that morning might slacken the preparations for the voyage, which their impatience and interest persuaded were not advanced with expedition; and so they had then held much discourse with the duke of the impossibility that his intelligence could be true, and that it was contrived by the artifice and dexterity of their enemies, in order to abate the warmth and zeal that was used for their relief, the arrival of which they had so much reason to apprehend; and a little longer delay in sending it would ease them of that terrible apprehension, their forts and works toward the sea and in the harbour being almost finished.

This discourse, according to the natural custom of that nation, and by the usual dialect of that language, was held with that passion and vehemence, that the standers by, who understood not

French, did believe that they were very angry, and that they used the duke very rudely. He being ready, and informed that his breakfast was ready, drew towards the door, where the hangings were held up; and, in the very passage, turning himself to speak with sir Thomas Fryer, a colonel of the army, who was then speaking near his ear, he was on a sudden struck over his shoulder upon the breast with a knife; upon which, without using any other words but that, "The villain hath killed "me," and in the same moment pulling out the knife himself, he fell down dead, the knife having pierced his heart.

No man had seen the blow, or the man who made it; but in the confusion they were in, every man made his own conjectures, and declared it as a thing known; most agreeing that it was done by the French, from the angry discourse they thought they heard from them. And it was a kind of a miracle, that they were not all killed in that instant; the soberer sort, that preserved them from it, having the same opinion of their guilt, and only reserving them for a more judicial examination and proceeding.

In the crowd near the door there was found upon the ground a hat, in the inside whereof there was sewed upon the crown a paper, in which were writ four or five lines of that declaration made by the house of commons, in which they had styled the duke an enemy to the kingdom, and under it a short ejaculation or two towards a prayer. It was easily enough concluded that the hat belonged to the person who had committed the murder: but the difficulty remained still as great, who that

person should be; for the writing discovered nothing of the name; and whosoever it was, it was very natural to believe that he was gone far enough not to be found without a hat.

In this hurry, one running one way, another another way, a man was seen walking before the door very composedly without a hat; whereupon one crying out, "Here is the fellow that killed the "duke!" upon which others ran thither, every body asking, "Which is he? Which is he?" To which the man without the hat very composedly answered, "I am he." Thereupon some of those who were most furious, suddenly ran upon the man with their drawn swords to kill him; but others, who were at least equally concerned in the loss, and in the sense of it, defended him; himself with open arms very calmly and cheerfully exposing himself to the fury and swords of the most enraged, as being very willing to fall a sacrifice to their sudden anger, rather than to be kept for that deliberate justice which he knew must be exercised upon him.

He was now known enough, and easily discovered to be that Felton, whom we mentioned before, who had been a lieutenant in the army. He was quickly carried into a private room by the persons of the best condition, some whereof were in authority, who first thought fit so far to dissemble, as to mention the duke only as grievously wounded, but not without hope of recovery. Upon which Felton smiled, and said, he knew well he had given him a blow, that had determined all those hopes. Being then asked (which was the discovery principally aimed at) by whose instigation he had performed

that horrid and wicked act, he answered them with a wonderful assurance, "That they should not "trouble themselves in that inquiry; that no man "living had credit or power enough in him, to "have engaged or disposed him to such an action; "that he had never intrusted his purpose and reso- "lution to any man; that it proceeded only from "himself and the impulsion of his own conscience; "and that the motives thereunto would appear, if "his hat were found, in which he had therefore "fixed them, because he believed it very probable "that he might perish in the attempt. He con- "fessed that he had come to the town but the "night before, and had kept his lodging, that he "might not be seen or taken notice of; and that "he had come that morning to the duke's lodg- "ing, where he had waited at the door for his "coming out; and when he found, by the motions "within, that he was coming, he drew to the door, "as if he held up the hanging; and sir Thomas "Fryer speaking at that time to the duke, as hath "been said, and being of a much lower stature "than the duke, who a little inclined towards him, "he took the opportunity of giving the blow over "his shoulder."

He spoke very frankly of what he had done, and bore the reproaches of those who spoke to him, with the temper of a man who thought he had not done amiss. But after he had been in prison some time, where he was treated without any rigour, and with humanity enough; and before, and at his trial, which was about four months after, at the king's bench bar, he behaved himself with great [redacted] and wonderful repentance; being,

as he said, convinced in his conscience, that he had done wickedly, and asked the pardon of the king, the duchess, and of all the duke's servants, whom he acknowledged to have offended; and very earnestly besought the judges, that he might have his hand struck off, with which he had performed that impious act, before he should be put to death.

The court was too near Portsmouth, and too many courtiers upon the place, to have this murder (so wonderful in the nature and circumstances, the like whereof had not been known in England in many ages) long concealed from the king. His majesty was at the public prayers of the church, when sir John Hippesly came into the room, with a troubled countenance, and, without any pause in respect of the exercise they were performing, went directly to the king, and whispered in his ear what had fallen out. His majesty continued unmoved and without the least change in his countenance till prayers were ended; when he suddenly departed to his chamber, and threw himself upon his bed, lamenting with much passion, and with abundance of tears, the loss he had of an excellent servant, and the horrid manner in which he had been deprived of him; and he continued in this melancholic and discomposure of mind many days.

Yet the manner of his receiving the news in public, when it was first brought to him in the presence of so many, (who knew or saw nothing of the passion he expressed upon his retreat,) made many men to believe, that the accident was not very ungrateful; at least, that it was very indifferent to him; as being rid of a servant very ungracious to the people, and the prejudice to

whose person exceedingly obstructed all overtures made in parliament for his service.

And, upon this observation, persons of all conditions took great license in speaking of the person of the duke, and dissecting all his infirmities, believing they should not thereby incur any displeasure of the king. In which they took very ill measures; for from that time almost to the time of his own death, the king admitted very few into any degree of trust, who had ever discovered themselves to be enemies to the duke, or against whom he had ever manifested a notable prejudice. And sure never any prince manifested a more lively regret for the loss of a servant, than his majesty did for this great man, in his constant favour and kindness to his wife and children, in a wonderful solicitous care for the payment of his debts, (which, it is very true, were contracted for his service; though in such a manner, that there remained no evidence of it, nor was any of the duke's officers intrusted with the knowledge of it, nor was there any record of it, but in his majesty's own generous memory,) and all offices of grace towards his servants.

After all this, and such a transcendent mixture of ill fortune, of which as ill conduct and great infirmities seem to be the foundation and source, this great man was a person of a noble nature, and generous disposition, and of such other endowments, as made him very capable of being a great favourite to a great king. He understood the arts and artifices of a court, and all the learning that is professed there, exactly well. By long practice in business, under a master that discoursed excel-

lently, and surely knew all things wonderfully, and took much delight in indoctrinating his young unexperienced favourite, who, he knew, would be always looked upon as the workmanship of his own hands, he had obtained a quick conception, and apprehension of business, and had the habit of speaking very gracefully and pertinently. He was of a most flowing courtesy and affability to all men who made any address to him; and so desirous to oblige them, that he did not enough consider the value of the obligation, or the merit of the person he chose to oblige; from which much of his misfortune resulted. He was of a courage not to be daunted, which was manifested in all his actions, and his contests with particular persons of the greatest reputation; and especially in his whole demeanour at the Isle of Rhé, both at the landing and upon the retreat: in both which no man was more fearless, or more ready to expose himself to the brightest dangers. His kindness and affection to his friends was so vehement, that it was as so many marriages for better and worse, and so many leagues offensive and defensive; as if he thought himself obliged to love all his friends, and to make war upon all they were angry with, let the cause be what it would. And it cannot be denied that he was an enemy in the same excess, and prosecuted those he looked upon as his enemies with the utmost rigour and animosity, and was not easily induced to a reconciliation. And yet there were some examples of his receding in that particular. And in the highest passion, he was so far from stooping to any dissimulation, whereby his displeasure might be concealed and covered till he

had attained his revenge, (the low method of courts,) that he never endeavoured to do any man an ill office, before he first told him what he was to expect from him, and reproached him with the injuries he had done, with so much generosity, that the person found it in his power to receive further satisfaction, in the way he would choose for himself.

And in this manner he proceeded with the earl of Oxford, a man of great name in that time, and whom he had endeavoured by many civil offices to make his friend, and who seemed equally to incline to the friendship: when he discovered (or, as many thought, but suspected) that the earl was entered into some cabal in parliament against him; he could not be dissuaded by any of his friends, to whom he imparted his resolution; but meeting the earl the next day, he took him aside, and after many reproaches for such and such ill offices he had done, and for breaking his word towards him, he told him, "he would rely no longer on his "friendship, nor should he expect any further "friendship from him, but, on the contrary, he "would be for ever his enemy, and do him all the "mischief he could." The earl, (who, as many thought, had not been faulty towards him, was as great-hearted as he, and thought the very suspecting him to be an injury unpardonable,) without any reply to the particulars, declared, "that he "neither cared for his friendship, nor feared his "hatred;" and from thence avowedly entered into the conversation and confidence of those who were always awake to discover, and solicitous to pursue, any thing that might prove to his disadvantage:

which was of evil consequence to the duke, the earl being of the most ancient of the nobility, and a man of great courage, and of a family which had in no time swerved from its fidelity to the crown.

Sir Francis Cottington, who was secretary to the prince, and not grown courtier enough to dissemble well his opinion, had given the duke offence before the journey into Spain, as is before touched upon, and improved that prejudice, after his coming thither, by disposing the prince all he could to the marriage of the infanta; and by his behaviour after his return, in justifying to king James, who had a very good opinion of him, the sincerity of the Spaniard in the treaty of the marriage, "That "they did in truth desire it, and were fully re- "solved to gratify his majesty in the business of "the palatinate; and only desired, in the manner "of it, to gratify the emperor and the duke of "Bavaria all they could, which would take up very "little time." All which being so contrary to the duke's positions and purposes, his displeasure to Cottington was sufficiently manifest. And king James was no sooner dead, and the new officers and orders made, but the profits and privileges which had used to be continued to him who had been secretary, till some other promotion, were all retrenched. And when he was one morning attending in the privy lodgings, as he was accustomed to do, one of the secretaries of state came to him, and told him, "that it was the king's pleasure that "he should no more presume to come into those "rooms;" (which was the first instance he had received of the king's disfavour;) and at the same

instant the duke entered into that quarter. Upon which sir Francis Cottington addressed himself towards him, and desired "he would give him "leave to speak to him:" upon which the duke inclining his ear, moved to a window from the company, and the other told him, "that he re- "ceived every day fresh marks of his severity;" mentioned the message which had been then delivered to him, and desired only to know, "whether "it could not be in his power, by all dutiful appli- "cation, and all possible service, to be restored to "the good opinion his grace had once vouchsafed "to have of him, and to be admitted to serve "him?" The duke heard him without the least commotion, and with a countenance serene enough, and then answered him, "That he would deal very "clearly with him; that it was utterly impossible "to bring that to pass which he had proposed: "that he was not only firmly resolved never to "trust him, or to have to do with him; but that "he was, and would be always, his declared enemy; "and that he would do always whatever should be "in his power to ruin and destroy him, and of "this he might be most assured;" without mentioning any particular ground for his so heightened displeasure.

The other very calmly replied to him, (as he was master of an incomparable temper,) "That since "he was resolved never to do him good, that he "hoped, from his justice and generosity, that he "would not suffer himself to gain by his loss; "that he had laid out by his command so much "money for jewels and pictures, which he had "received: and that, in hope of his future favour,

" he had once presented a suit of hangings to him, " which cost him 800*l.* which he hoped he would " cause to be restored to him, and that he would " not let him be so great a loser by him." The duke answered, " he was in the right; that he " should the next morning go to Oliver, (who was " his receiver,) and give him a particular account " of all the money due to him, and he should pre- " sently pay him;" which was done the next morning accordingly, without the least abatement of any of his demands.

And he was so far reconciled to him before his death, that being resolved to make a peace with Spain, to the end he might more vigorously pursue the war with France, (to which his heart was most passionately fixed,) he sent for Cottington to come to him, and after conference with him, told him, " the king would send him ambassador thither, and " that he should attend him at Portsmouth for his " despatch."

His single misfortune was, (which indeed was productive of many greater,) that he never made a noble and a worthy friendship with a man so near his equal, that he would frankly advise him for his honour and true interest, against the current, or rather the torrent, of his impetuous passion; which was partly the vice of the time, when the court was not replenished with great choice of excellent men; and partly the vice of the persons who were most worthy to be applied to, and looked upon his youth, and his obscurity, as obligations upon him to gain their friendships by extraordinary application. Then his ascent was so quick, that it seemed rather a flight than a growth; and he was such a

darling of fortune, that he was at the top before he was seen at the bottom, for the gradation of his titles was the effect, not cause, of his first promotion; and, as if he had been born a favourite, he was supreme the first month he came to court; and it was want of confidence, not of credit, that he had not all at first which he obtained afterwards; never meeting with the least obstruction from his setting out, till he was as great as he could be: so that he wanted dependants before he thought he could want coadjutors. Nor was he very fortunate in the election of those dependants, very few of his servants having been ever qualified enough to assist or advise him, and were intent only upon growing rich under him, not upon their master's growing good as well as great: insomuch as he was throughout his fortune a much wiser man than any servant or friend he had.

Let the fault or misfortune be what or whence it will, it may very reasonably be believed, that, if he had been blessed with one faithful friend, who had been qualified with wisdom and integrity, that great person would have committed as few faults, and done as transcendent worthy actions, as any man who shined in such a sphere in that age in Europe. For he was of an excellent nature, and of a capacity very capable of advice and counsel. He was in his nature just and candid, liberal, generous, and bountiful; nor was it ever known, that the temptation of money swayed him to do an unjust or unkind thing. And though he left a very great inheritance to his heirs; considering the vast fortune he inherited by his wife, the sole daughter and heir of Francis earl of Rutland, he

owed no part of it to his own industry or solicitation, but to the impatient humour of two kings his masters, who would make his fortune equal to his titles, and the one [as much] above other men, as the other was. And he considered it no otherwise than as theirs, and left it at his death engaged for the crown, almost to the value of it, as is touched upon before.

If he had an immoderate ambition, with which he was charged, and is a weed (if it be a weed) apt to grow in the best soils; it doth not appear that it was in his nature, or that he brought it with him to the court, but rather found it there, and was a garment necessary for that air. Nor was it more in his power to be without promotion, and titles, and wealth, than for a healthy man to sit in the sun in the brightest dog-days, and remain without any warmth. He needed no ambition, who was so seated in the hearts of two such masters.

There are two particulars, which lie heaviest upon his memory, either of them aggravated by circumstances very important, and which administer frequent occasions by their effects to be remembered.

The first, his engaging his old unwilling master and the kingdom in the war with Spain, (not to mention the bold journey thither, or the breach of that match,) in a time when the crown was so poor, and the people more inclined to a bold inquiry, how it came to be so, than dutifully to provide for its supply: and this only upon personal animosities between him and the duke of Olivarez, the sole favourite in that court, and those animosities from very trivial provocations, and flowed indeed from

no other fountain, than that the nature and education of Spain restrained men from that gaiety of humour, and from that frolic humour, to which the prince's court was more inclined. And Olivarez had been heard to censure very severely the duke's familiarity and want of respect towards the prince, (a crime monstrous to the Spaniard,) and had said, that "if the infanta did not, as soon as she was "married, suppress that license, she would herself "quickly undergo the mischief of it:" which gave the first alarm to the duke to apprehend his own ruin in that union, and accordingly to use all his endeavours to break and prevent it: and from that time he took all occasions to quarrel with and reproach the Conde duke.

One morning the king desired the prince to take the air, and to visit a little house of pleasure he had (the Prado) four miles from Madrid, standing in a forest, where he used sometimes to hunt; and the duke not being ready, the king and the prince and the infante don Carlos went into the coach, the king likewise calling the earl of Bristol into that coach to assist them in their conversation, the prince then not speaking any Spanish; and left Olivarez to follow in the coach with the duke of Buckingham. When the duke came, they went into the coach, accompanied with others of both nations, and proceeded very cheerfully towards overtaking the king: but when upon the way he heard that the earl of Bristol was in the coach with the king, he broke out into great passion, reviled the Conde duke as the contriver of the affront, reproached the earl of Bristol for his presumption, in taking that place which in all respects belonged

to him, who was joined with him as ambassador extraordinary, and came last from the presence of their master, and resolved to go out of the coach, and to return to Madrid. Olivarez easily discovered by the disorder, and the noise, and the tone, that the duke was very angry, without comprehending the cause of it; only found that the earl of Bristol was often named with such a tone, that he began to suspect what in truth might be the cause. And thereupon he commanded a gentleman, who was on horseback, with all speed to overtake the king's coach, and desire that it might stay; intimating, that the duke had taken some displeasure, the ground whereof was not enough understood. Upon which the king's coach stayed; and when the other approached within distance, the Conde duke alighted, and acquainted the king with what he had observed, and what he conceived. The king himself alighted, made great compliments to the duke, the earl of Bristol excusing himself upon the king's command, that he should serve as a trustman. In the end don Carlos went into the coach with the favourite, and the duke and the earl of Bristol went with the king and the prince; and so they prosecuted their journey, and after dinner returned in the same manner to Madrid.

This, with all the circumstances of it, administered wonderful occasion of discourse in the court and country, there having never been such a comet seen in that hemisphere; and their submiss reverence to their princes being a vital part of their religion.

There were very few days passed afterwards, in which there was not some manifestation of the

highest displeasure and hatred in the duke against the other. And when the Conde duke had some eclaircissement with the duke, in which he made all the protestations of his sincere affection, and his desire to maintain a clear and faithful friendship with him, which he conceived might be, in some degree, useful to both their masters; the other received his protestations with all contempt, and declared, with a very unnecessary frankness, "that he would have no friendship with him."

And the next day after the king returned from accompanying the prince towards the sea, where, at parting, there were all possible demonstrations of mutual affection between them; and the king caused a fair pillar to be erected in the place where they last embraced each other, with inscriptions of great honour to the prince; there being then in that court not the least suspicion, or imagination, that the marriage would not succeed. Insomuch that afterwards, upon the news from Rome, that the dispensation was granted, the prince having left the desponsorios in the hands of the earl of Bristol, in which the infante don Carlos was constituted the prince's proxy to marry the infanta on his behalf; she was treated as princess of Wales, the queen gave her place, and the English ambassador had frequent audiences, as with his mistress, in which he would not be covered: yet, I say, the very next day after the prince's departure from the king, Mr. Clark, one of the prince's bedchamber, who had formerly served the duke, was sent back to Madrid, upon pretence that somewhat was forgotten there, but in truth, with orders to the earl of Bristol not to deliver the desponsorios (which,

by the articles, he was obliged to do within fifteen days after the arrival of the dispensation) until he should receive further orders from the prince, or king, after his return into England.

Mr. Clark was not to deliver this letter to the ambassador, till he was sure the dispensation was come; of which he could not be advertised in the instant. But he lodging in the ambassador's house, and falling sick of a calenture, which the physicians thought would prove mortal, he sent for the earl to come to his bedside, and delivered him the letter before the arrival of the dispensation, though long after it was known to be granted; upon which all those ceremonies were performed to the infanta.

By these means, and by this method, this great affair, upon which the eyes of Christendom had been so long fixed, came to be dissolved, without the least mixture with, or contribution from, those amours, which were afterwards so confidently discoursed of. For though the duke was naturally carried violently to those passions, when there was any grace or beauty in the object; yet the duchess of Olivarez, of whom the talk was, was then a woman so old, past children, of so abject a presence, in a word, so crooked and deformed, that she could neither tempt his appetite, or magnify his revenge. And whatever he did afterwards in England was but *tueri opus*, and to prosecute the design he had, upon the reasons and provocations aforesaid, so long before contrived during his abode in Spain.

The other particular, by which he involved himself in so many fatal intricacies, from which he could never extricate himself, was, his running

violently into the war with France, without any kind of provocation, and upon a particular passion very unwarrantable. In his embassy in France, where his person and presence was wonderfully admired and esteemed, (and in truth it was a wonder in the eyes of all men,) and in which he appeared with all the lustre the wealth of England could adorn him with, and outshined all the bravery that court could dress itself in, and overacted the whole nation in their own most peculiar vanities; he had the ambition to fix his eyes upon, and to dedicate his most violent affection to, a lady of a very sublime quality, and to pursue it with most importunate addresses: insomuch as when the king had brought the queen his sister as far as he meant to do, and delivered her into the hands of the duke, to be by him conducted into England; the duke, in his journey, after his departure from that court, took a resolution once more to make a visit to that great lady, which he believed he might do with great privacy. But it was so easily discovered, that provision was made for his reception; and if he had pursued his attempt, he had been without doubt assassinated; of which he had only so much notice, as served him to decline the danger. But he swore, in the instant, "that he "would see and speak with that lady, in spite of "the strength and power of France." And from the time that the queen arrived in England, he took all the ways he could to undervalue and exasperate that court and nation, by causing all those who fled into England from the justice and displeasure of that king, to be received and entertained here, not only with ceremony and security,

but with bounty and magnificence; and the more extraordinary the persons were, and the more notorious the king's displeasure was towards them, (as in that time there were very many lords and ladies of that classis,) the more respectfully they were received and esteemed. He omitted no opportunity to incense the king against France, and to dispose him to assist the Hugonots, whom he likewise encouraged to give their king some trouble.

And, which was worse than all this, he took great pains to lessen the king's affection towards his young queen, being exceedingly jealous, lest her interest might be of force enough to cross his other designs: and in this stratagem, he so far swerved from the instinct of his nature and his proper inclinations, that he, who was compounded of all the elements of affability and courtesy towards all kind of people, had brought himself to a habit of neglect, and even of rudeness, towards the queen.

One day, when he unjustly apprehended that she had shewed some disrespect to his mother, in not going to her lodging at an hour she had intended to do, and was hindered by a very accident, he came into her chamber in much passion, and, after some expostulations rude enough, he told her, "she should repent it." And her majesty answering with some quickness, he replied insolently to her, "that there had been queens in England who "had lost their heads." And it was universally known, that, during his life, the queen never had any credit with the king, with reference to any public affairs, and so could not divert the resolution of making a war with France.

The war with Spain had found the nation in a surfeit of a long peace, and in a disposition inclinable enough to war with that nation, which might put an end to an alliance the most ungrateful to them, and which they most feared, and from whence no other damage had yet befallen them, than a chargeable and unsuccessful voyage by sea, without the loss of ships or men. But a war with France must be carried on at another rate and expense. Besides, the nation was weary and surfeited with the first, before the second was entered upon; and it was very visible to wise men, that when the general trade of the kingdom, from whence the support of the crown principally resulted, should be utterly extinguished with France, as it was with Spain, and interrupted or obstructed with all other places, (as it must be, in a war, how prosperously soever carried on,) the effects would be very sad, and involve the king in many perplexities; and it could not but fall out accordingly.

Upon the return from Cales without success, though all the ships, and, upon the matter, all the men were seen, (for though some had so surfeited in the vineyards, and with the wines, that they had been left behind, the generosity of the Spaniards had sent them all home again;) and though by that fleet's putting in at Plymouth, near two hundred miles from London, so that there could be very imperfect relations, and the news of yesterday was contradicted the morrow; besides the expedition had been undertaken by the advice of the parliament, and with an universal approbation of the people, so that nobody could reasonably speak loudly against it; yet, notwithstanding all this, the

ill success was heavily borne, and imputed to ill conduct; the principal officers of the fleet and army divided amongst themselves, and all united in their murmurs against the general, the lord viscount Wimbledon; who, though an old officer in Holland, was never thought equal to the enterprise, and had in truth little more of a Holland officer than the pride and formality. In a word, there was indisposition enough quickly discovered against the war itself, that it was easily discerned it would not be pursued with the vigour it was entered into, nor carried on by any cheerful contribution of money from the public.

But the running into this war with France (from whence the queen was so newly and so joyfully received) without any colour of reason, or so much as the formality of a declaration from the king, containing the ground, and provocation, and end of it, according to custom and obligation in the like cases, (for it was observed that the declaration which was published was in the duke's own name, who went admiral and general of the expedition,) opened the mouths of all men to inveigh against it with all bitterness, and the sudden ill effects of it, manifested in the return of the fleet to Portsmouth, within such a distance of London, that nothing could be concealed of the loss sustained; in which most noble families found a son, or brother, or near kinsman wanting, without such circumstances of their deaths which are usually the consolations and recompenses of such catastrophes. The retreat had been a rout without an enemy, and the French had their revenge by the disorder and confusion of the English themselves; in which great

numbers of noble and ignoble were crowded to death, or drowned without the help of an enemy: and as many thousands of the common men were wanting, so few of those principal officers who had attained to a name in war, and by whose courage and experience any war was to be conducted could be found.

The effects of this overthrow did not at first appear in whispers, murmurs, and invectives, as the retirement from Cales had done; but produced such a general consternation over the face of the whole nation, as if all the armies of France and Spain were united together, and had covered the land: mutinies in the fleet and army, under pretence of their want of pay, (whereof no doubt there was much due to them,) but in truth, out of detestation of the service, and the authority of the duke. The counties throughout the kingdom were so incensed, and their affections poisoned, that they refused to suffer the soldiers to be billeted upon them; by which they often underwent greater inconveniences and mischiefs than they endeavoured to prevent. The endeavour to raise new men for the recruit of the army by pressing (the only method that had ever been practised upon such occasions) found opposition in many places; and the authority by which it was done not submitted to, as illegal; which produced a resort to martial law, by which many were executed; which raised an asperity in the minds of more than of the common people. And this distemper was so universal, the least spark still meeting with combustible matter enough to make a flame, that all wise men looked upon it as the prediction of the destruction and dissolu-

tion that would follow. Nor was there a serenity in the countenance of any man, who had age and experience enough to consider things to come; but only in those who wished the destruction of the duke, and thought it could not be purchased at too dear a price, and looked upon this flux of humours as an inevitable way to bring it to pass.

And it cannot be denied, that from these two wars so wretchedly entered into, and the circumstances before mentioned, and which flowed from thence, the duke's ruin took its date: and never left pursuing him, till that execrable act upon his person; the malice whereof was contracted by that sole evil spirit of the time, without any partner in the conspiracy. And the venom of that season increased and got vigour, until, from one license to another, it proceeded till the nation was corrupted to that monstrous degree, that it grew satiated, and weary of the government itself; under which it had enjoyed a greater measure of felicity, than any nation was ever possessed of; and which could never be continued to them, but under the same. And as these calamities originally sprung from the inordinate appetite and passion of this young man, under the too much easiness of two indulgent masters, and the concurrence of a thousand other accidents; so that, if he had lived longer, (for he was taken away at the age of thirty-six years,) the observation and experience he had, which had very much improved his understanding, with the greatness of his spirit, and jealousy of his master's honour, (to whom his fidelity was superior to any temptation,) might have repaired many of the inconveniences which he had introduced, and would

have prevented the mischiefs which were the natural effects of those causes.

There were many stories scattered abroad at that time, of several prophecies and predictions of the duke's untimely and violent death. Amongst the rest there was one, which was upon a better foundation of credit than usually such discourses are founded upon. There was an officer in the king's wardrobe in Windsor castle, of a good reputation for honesty and discretion, and then about the age of fifty years, or more. This man had, in his youth, been bred in a school, in the parish where sir George Villiers, the father of the duke, lived, and had been much cherished and obliged, in that season of his age, by the said sir George, whom afterwards he never saw. About six months before the miserable end of the duke of Buckingham, about midnight, this man being in his bed at Windsor, where his office was, and in very good health, there appeared to him, on the side of his bed, a man of a very venerable aspect, who drew the curtains of his bed, and, fixing his eyes upon him, asked him, if he knew him. The poor man, half dead with fear and apprehension, being asked the second time, whether he remembered him; and having in that time called to his memory the presence of sir George Villiers, and the very clothes he used to wear, in which at that time he seemed to be habited, he answered, "that he thought him "to be that person." He replied, "he was in the "right; that he was the same, and that he ex-"pected a service from him; which was, that he "should go from him to his son the duke of Buck-"ingham, and tell him, if he did not do somewhat to

" ingratiate himself to the people, or, at least, to " abate the extreme malice they had against him, " he would be suffered to live a short time." And after this discourse he disappeared; and the poor man, if he had been at all waking, slept very well till morning, when he believed all this to be a dream, and considered it no otherwise.

The next night, or shortly after, the same person appeared to him again in the same place, and about the same time of the night, with an aspect a little more severe than before, and asked him, whether he had done as he had required him: and perceiving he had not, gave him very sharp reprehensions; told him, " he expected more compliance from " him; and that, if he did not perform his com- " mands, he should enjoy no peace of mind, but " should be always pursued by him;" upon which, he promised him to obey him. But the next morning waking out of a good sleep, though he was exceedingly perplexed with the lively representation of all particulars to his memory, he was willing still to persuade himself that he had only dreamed; and considered, that he was a person at such a distance from the duke, that he knew not how to find any admission to his presence, much less had any hope to be believed in what he should say. And so with great trouble and unquietness, he spent some time in thinking what he should do, and in the end resolved to do nothing in the matter.

The same person appeared to him the third time, with a terrible countenance, and bitterly reproaching him for not performing what he had promised to do. The poor man had by this time recovered

the courage to tell him, "That in truth he had de-
" ferred the execution of his commands, upon con-
" sidering, how difficult a thing it would be for him
" to get any access to the duke, having acquaint-
" ance with no person about him; and if he could
" obtain admission to him, he should never be able
" to persuade him, that he was sent in such a man-
" ner; but he should at best be thought to be mad,
" or to be set on and employed, by his own or the
" malice of other men, to abuse the duke; and so
" he should be sure to be undone." The person replied, as he had done before, "That he should
" never find rest, till he should perform what he
" required; and therefore he were better to des-
" patch it: that the access to his son was known
" to be very easy; and that few men waited long
" for him: and for the gaining him credit, he
" would tell him two or three particulars, which he
" charged him never to mention to any person
" living, but to the duke himself; and he should no
" sooner hear them, but he would believe all the
" rest he should say;" and so repeating his threats, he left him.

And in the morning, the poor man, more confirmed by the last appearance, made his journey to London; where the court then was. He was very well known to sir Ralph Freeman, one of the masters of requests, who had married a lady that was nearly allied to the duke, and was himself well received by him. To him this man went; and though he did not acquaint him with all particulars, he said enough to him to let him see there was somewhat extraordinary in it; and the knowledge he had of the sobriety and discretion of the man

made the more impression in him. He desired that "by his means he might be brought to the "duke; to such a place, and in such a manner, as "should be thought fit: that he had much to say "to him; and of such a nature, as would require "much privacy, and some time and patience in the "hearing." Sir Ralph promised "he would speak "first with the duke of him, and then he should "understand his pleasure:" and accordingly, in the first opportunity, he did inform him of the reputation and honesty of the man, and then what he desired, and of all he knew of the matter. The duke, according to his usual openness and condescension, told him, "That he was the next day "early to hunt with the king; that his horses "should attend him at Lambeth-bridge, where he "would land by five of the clock in the morning; "and if the man attended him there at that hour, "he would walk, and speak with him, as long as "should be necessary." Sir Ralph carried the man with him the next morning, and presented him to the duke at his landing, who received him courteously; and walked aside in conference near an hour, none but his own servants being at that hour in that place; and they and sir Ralph at such a distance, that they could not hear a word, though the duke sometimes spoke, and with great commotion; which sir Ralph the more easily observed, and perceived, because he kept his eyes always fixed upon the duke; having procured the conference, upon somewhat he knew there was of extraordinary. And the man told him in his return over the water, "That when he mentioned those particulars which "were to gain him credit, the substance whereof

"he said he durst not impart to him, the duke's "colour changed, and he swore he could come to "that knowledge only by the devil; for that "those particulars were only known to himself, "and to one person more, who, he was sure, would "never speak of it."

The duke pursued his purpose of hunting; but was observed to ride all the morning with great pensiveness, and in deep thoughts, without any delight in the exercise he was upon; and before the morning was spent, left the field, and alighted at his mother's lodgings in Whitehall; with whom he was shut up for the space of two or three hours; the noise of their discourse frequently reaching the ears of those who attended in the next rooms: and when the duke left her, his countenance appeared full of trouble, with a mixture of anger; a countenance that was never before observed in him, in any encounters with her: towards her he had ever a most profound reverence. And the countess herself (for though she was married to a private gentleman, sir Thomas Compton, she had been created countess of Buckingham, shortly after her son had first assumed that title) was, at the duke's leaving her, found overwhelmed in tears, and in the highest agony imaginable. Whatever there was of all this, it is a notorious truth, that when the news of the duke's murder (which happened within few months after) was brought to his mother, she seemed not in the least degree surprised; but received it as if she had foreseen it; nor did afterwards express such a degree of sorrow, as was expected from such a mother, for the loss of such a son.

This digression, much longer than it was intended, may not be thought altogether unnatural in this discourse. For as the mention of his death was very pertinent, in the place, and upon the occasion, it happened to be made; so upon that occasion it seemed the more reasonable to enlarge upon the nature, and character, and fortune of the duke; as being the best mirror to discern the temper and spirit of that age, and the rather and because all the particulars before set down are to be found in the papers and memorials of the person, whose life is the subject of this discourse, who was frequently heard to relate the wonderful concurrence of many fatal accidents, to disfigure the government of two excellent kings; under whom their kingdoms in general prospered exceedingly, and enjoyed a longer peace, a greater plenty, and in fuller security, than had been in any former age; and who was so far from any acrimony to the memory of that great favourite, (whose death he had lamented at that time, and endeavoured to vindicate him from some libels and reproaches, which vented after his death,) that he took delight in remembering his many virtues, and to magnify his affability and most obliging nature; and he kept the memorial of that prediction, (though no man looked upon relations of that nature with less reverence and consideration,) the substance of which (he said) was confirmed to him by sir Ralph Freeman, and acknowledged by some servants of the duke's, who had the nearest trust with him, and who were informed of much of it before the murder of the duke.

And because there was so total a change of all

counsels, and in the whole face of the court, upon the death of that omnipotent favourite; all thoughts of war being presently laid aside, (though there was a faint looking towards the relief of Rochelle by the fleet, that was ready under the command of the earl of Lindsey,) and the provisions for peace and plenty taken to heart; it will not be unuseful nor unpleasant to enlarge the digression, before a return to the proper subject of the discourse, by a prospect of the constitution of the court, after that bright star was shot out of the horizon; who were the chief ministers, that had the principal management of public affairs in church and state; and how equal their faculties and qualifications were for those high transactions; in which mention shall be only made of those who were then in the highest trust; there being at that time no ladies, who had disposed themselves to intermeddle in business: and hereafter, when that activity began, and made any progress, it will be again necessary to take a new survey of the court upon that alteration.

Sir Thomas Coventry was then lord keeper of the great seal of England, and newly made a baron. He was a son of the robe, his father having been a judge in the court of the common pleas; who took great care to breed his son, though his first-born, in the study of the common law; by which himself had been promoted to that degree; and in which, in the society of the Inner Temple, his son made a notable progress, by an early eminence in practice and learning: insomuch as he was recorder of London, solicitor general, and king's attorney, before he was forty years of age.

A rare ascent! All which offices he discharged with great abilities, and singular reputation of integrity. In the first year after the death of king James, he was advanced to be keeper of the great seal of England (the natural advancement from the office of attorney general) upon the removal of the bishop of Lincoln; who, though a man of great wit and good scholastic learning, was generally thought so very unequal to the place, that his remove was the only recompense and satisfaction that could be made for his promotion. And yet it was enough known, that the disgrace proceeded only from the private displeasure of the duke of Buckingham. The lord Coventry enjoyed this place with an universal reputation (and sure justice was never better administered) for the space of about sixteen years, even to his death, some months before he was sixty years of age; which was another important circumstance of his felicity, that great office being so slippery, that no man had died in it before for near the space of forty years. Nor had his successors, for some time after him, much better fortune. And he himself had use of all his strength and skill (as he was an excellent wrestler) to preserve himself from falling, in two shocks: the one given him by the earl of Portland, lord high treasurer of England; the other by the marquis of Hamilton, who had the greatest power over the affections of the king of any man of that time.

He was a man of wonderful gravity and wisdom; and understood not only the whole science and mystery of the law, at least equally with any man who had ever sate in that place; but had a clear

conception of the whole policy of the government both of church and state, which, by the unskilfulness of some well-meaning men, justled each the other too much.

He knew the temper and disposition and genius of the kingdom most exactly; saw their spirits grow every day more sturdy and inquisitive and impatient; and therefore naturally abhorred all innovations which he foresaw would produce ruinous effects. Yet many, who stood at a distance, thought that he was not active and stout enough in the opposing those innovations. For though, by his place, he presided in all public councils, and was most sharp-sighted in the consequence of things; yet he was seldom known to speak in matters of state, which, he well knew, were for the most part concluded, before they were brought to that public agitation; never in foreign affairs, which the vigour of his judgment could well comprehend; nor indeed freely in any thing, but what immediately and plainly concerned the justice of the kingdom; and in that, as much as he could, he procured references to the judges. Though in his nature he had not only a firm gravity, but a severity, and even some morosity, (which his children and domestics had evidence enough of,) yet it was so happily tempered, and his courtesy and affability towards all men was so transcendent, so much without affectation, that it marvellously reconciled to all men of all degrees, and he was looked upon as an excellent courtier, without receding from the native simplicity of his own manner.

He had, in the plain way of speaking and delivery, without much ornament of elocution, a

strange power of making himself believed, the only justifiable design of eloquence: so that though he used very frankly to deny, and would never suffer any man to depart from him with an opinion that he was inclined to gratify, when in truth he was not, holding that dissimulation to be the worst of lying; yet the manner of it was so gentle and obliging, and his condescension such, to inform the persons whom he could not satisfy, that few departed from him with ill will, and ill wishes.

But then, this happy temper and these good faculties rather preserved him from having many enemies, and supplied him with some well-wishers, than furnished him with any fast and unshaken friends; who are always procured in courts by more ardour, and more vehement professions and applications, than he would suffer himself to be entangled with. So that he was a man rather exceedingly liked, than passionately loved: insomuch that it never appeared, that he had any one friend in the court, of quality enough to prevent or divert any disadvantage he might be exposed to. And therefore it is no wonder, nor to be imputed to him, that he retired within himself as much as he could, and stood upon his defence without making desperate sallies against growing mischiefs; which, he knew well, he had no power to hinder, and which might probably begin in his own ruin. To conclude; his security consisted very much in the little credit he had with the king; and he died in a season most opportune, and in which a wise man would have prayed to have finished his course, and which in truth crowned his other signal prosperity in the world.

Sir Richard Weston had been advanced to the white staff, to the office of lord high treasurer of England, some months before the death of the duke of Buckingham; and had, in that short time, so much disobliged him, at least disappointed his expectation, that many, who were privy to the duke's most secret purposes, did believe, that, if he had outlived that voyage in which he was engaged, he would have removed him, and made another treasurer. And it is very true, that great office too had been very slippery, and not fast to those who had trusted themselves in it: insomuch as there were at that time five noble persons alive, who had all succeeded one another immediately in that unsteady charge, without any other person intervening: the earl of Suffolk; the lord viscount Mandeville, afterwards earl of Manchester; the earl of Middlesex; and the earl of Marlborough, who was removed under pretence of his age and disability for the work, (which had been a better reason against his promotion, so few years before, that his infirmities were very little increased,) to make room for the present officer; who, though advanced by the duke, may properly be said to be established by his death.

He was a gentleman of a very good and ancient extraction by father and mother. His education had been very good amongst books and men. After some years study of the law in the Middle Temple, he travelled into foreign parts, and at an age fit to make observations and reflections; out of which, that which is commonly called experience is constituted. After this he betook himself to the court, and lived there some years; at that dis-

tance, and with that awe, as was agreeable to the modesty of the age, when men were seen some time before they were known; and well known before they were preferred, or durst pretend to be preferred.

He spent the best part of his fortune (a fair one, that he inherited from his father) in his attendance at court, and involved his friends in securities with him, who were willing to run his hopeful fortune, before he received the least fruit from it, but the countenance of great men and those in authority, the most natural and most certain stairs to ascend by.

He was then sent ambassador to the archdukes, Albert and Isabella, into Flanders; and to the diet in Germany, to treat about the restitution of the palatinate; in which negotiation he behaved himself with great prudence, and with the concurrent testimony of a wise man, from all those with whom he treated, princes and ambassadors, and upon his return was made a privy counsellor, and chancellor of the exchequer, in the place of the lord Brooke, who was either persuaded, or put out of the place; which, being an office of honour and trust, is likewise an excellent stage for men of parts to tread, and expose themselves upon; and where they have occasion of all natures to lay out and spread all their faculties and qualifications most for their advantage. He behaved himself very well in this function, and appeared equal to it; and carried himself so luckily in parliament, that he did his master much service, and preserved himself in the good opinion and acceptation of the house; which is a blessing not indulged to many by those

high powers. He did swim in those troubled and boisterous waters, in which the duke of Buckingham rode as admiral, with a good grace, when very many who were about him were drowned, or forced on shore with shrewd hurts and bruises: which shewed he knew well how and when to use his limbs and strength to the best advantage; sometimes only to avoid sinking, and sometimes to advance and get ground: and by this dexterity he kept his credit with those who could do him good, and lost it not with others, who desired the destruction of those upon whom he most depended.

He was made lord treasurer in the manner and at the time mentioned before, upon the removal of the earl of Marlborough, and few months before the death of the duke. The former circumstance, which is often attended by compassion towards the degraded, and prejudice towards the promoted, brought him no disadvantage: for besides the delight that season had in changes, there was little reverence towards the person removed; and the extreme visible poverty of the exchequer sheltered that province from the envy it had frequently created, and opened a door for much applause to be the portion of a wise and provident minister. For the other, of the duke's death, though some, who knew the duke's passions and prejudice, (which often produced rather sudden indisposition, than obstinate resolution,) believed he would have been shortly cashiered, as so many had lately been; and so that the death of his founder was a greater confirmation of him in the office, than the delivery of the white staff had been: many other wise men, who knew the treasurer's talent in removing preju-

dice, and reconciling himself to wavering and doubtful affections, believed, that the loss of the duke was very unseasonable; and that the awe or apprehension of his power and displeasure was a very necessary allay for the impetuosity of the new officer's nature, which needed some restraint and check, for some time, to his immoderate pretences and appetite of power.

He did indeed appear on the sudden wonderfully elated, and so far threw off his old affectation to please some very much, and to displease none, in which art he had excelled, that in few months after the duke's death he found himself to succeed him in the public displeasure, and in the malice of his enemies, without succeeding him in his credit at court, or in the affection of any considerable dependants. And yet, though he was not superior to all other men in the affection, or rather resignation, of the king, so that he might dispense favours and disfavours according to his own election, he had a full share in his master's esteem, who looked upon him as a wise and able servant, and worthy of the trust he reposed in him, and received no other advice in the large business of his revenue; nor was any man so much his superior, as to be able to lessen him in the king's affection by his power. So that he was in a post, in which he might have found much ease and delight, if he could have contained himself within the verge of his own province, which was large enough, and of such an extent, that he might, at the same time, have drawn a great dependence upon him of very considerable men, and appeared a very useful and profitable minister to the king; whose revenue had been very loosely

managed during the late years, and might, by industry and order, have been easily improved: and no man better understood what method was necessary towards that good husbandry, than he.

But I know not by what frowardness in his stars, he took more pains in examining and inquiring into other men's offices, than in the discharge of his own; and not so much joy in what he had, as trouble and agony for what he had not. The truth is, he had so vehement a desire to be the sole favourite, that he had no relish of the power he had: and in that contention he had many rivals, who had credit enough to do him ill offices, though not enough to satisfy their own ambition; the king himself being resolved to hold the reins in his own hands, and to put no further trust in others, than was necessary for the capacity they served in. Which resolution in his majesty was no sooner believed, and the treasurer's pretence taken notice [of,] than he found the number of his enemies exceedingly increased, and others to be less eager in the pursuit of his friendship; and every day discovered some infirmities in him, which being before known to few, and not taken notice of, did now expose him both to public reproach, and to private animosities; and even his vices admitted those contradictions in them, that he could hardly enjoy the pleasant fruit of any of them. That which first exposed him to the public jealousy, which is always attended with public reproach, was the concurrent suspicion of his religion. His wife and all his daughters were declared of the Romish religion: and though himself, and his sons, sometimes went to church, he was never thought to

have zeal for it; and his domestic conversation and dependants, with whom only he used entire freedom, were all known catholics, and were believed to be agents for the rest. And yet, with all this disadvantage to himself, he never had reputation and credit with that party, who were the only people of the kingdom who did not believe him to be of their profession. For the penal laws (those only excepted which were sanguinary, and even those sometimes let loose) were never more rigidly executed, nor had the crown ever so great a revenue from them, as in his time; nor did they ever pay so dear for the favours and indulgences of his office towards them.

No man had greater ambition to make his family great, or stronger, designs to leave a great fortune to it. Yet his expenses were so prodigiously great, especially in his house, that all the ways he used for supply, which were all that occurred, could not serve his turn; insomuch that he contracted so great debts, (the anxiety whereof, he pretended, broke his mind, and restrained that intentness and industry, which was necessary for the due execution of his office,) that the king was pleased twice to pay his debts; at least, towards it, to disburse forty thousand pounds in ready money out of his exchequer. Besides, his majesty gave him a whole forest (Chute forest in Hampshire) and much other land belonging to the crown; which was the more taken notice of, and murmured against, because, being the chief minister of the revenue, he was particularly obliged, as much as in him lay, to prevent, and even oppose, such disinherison; and because, under that obligation, he had, avowedly and

sourly, crossed the pretences of other men, and restrained the king's bounty from being exercised almost to any. And he had that advantage, (if he had made the right use of it,) that his credit was ample enough (seconded by the king's own experience, and observation, and inclination) to retrench very much of the late unlimited expenses, and especially those of bounties; which from the death of the duke ran in narrow channels, which never so much overflowed as towards himself, who stopped the current to other men.

He was of an imperious nature, and nothing wary in disobliging and provoking other men, and had too much courage in offending and incensing them: but after having offended and incensed them, he was of so unhappy a feminine temper, that he was always in a terrible fright and apprehension of them.

He had not that application, and submission, and reverence for the queen, as might have been expected from his wisdom and breeding, and often crossed her pretences and desires, with more rudeness than was natural to him. Yet he was impertinently solicitous to know what her majesty said of him in private, and what resentments she had towards him. And when by some confidants, who had their ends upon him from those offices, he was informed of some bitter expressions fallen from her majesty, he was so exceedingly afflicted and tormented with the sense of it, that sometimes by passionate complaints and representations to the king; sometimes by more dutiful addresses and expostulations with the queen, in bewailing his misfortunes; he frequently exposed himself, and

left his condition worse than it was before: and the eclaircissement commonly ended in the discovery of the persons from whom he had received his most secret intelligence.

He quickly lost the character of a bold, stout, and magnanimous man, which he had been long reputed to be in worse times; and, in his most prosperous season, fell under the reproach of being a man of big looks, and of a mean and abject spirit.

There was a very ridiculous story at that time in the mouths of many, which, being a known truth, may not be unfitly mentioned in this place, as a kind of illustration of the humour and nature of the man. Sir Julius Cæsar was then master of the rolls, and had, inherent in his office, the indubitable right and disposition of the six clerks' places; all which he had, for many years, upon any vacancy, bestowed to such persons as he thought fit. One of those places was become void, and designed by the old man to his son Robert Cæsar, a lawyer of a good name, and exceedingly beloved. The treasurer (as he was vigilant in such cases) had notice of the clerk's expiration so soon, that he procured the king to send a message to the master of the rolls, expressly forbidding him to dispose of that six-clerk's place, till his majesty's pleasure should be further made known to him. It was the first command of that kind that had been heard of, and was felt by the old man very sensibly. He was indeed very old, and had outlived most of his friends, so that his age was an objection against him; many persons of quality being dead, who had, for recompense of services, procured the reversion of his office.

The treasurer found it no hard matter so far to terrify him, that (for the king's service, as was pretended) he admitted for a six-clerk a person recommended by him, (Mr. Fern, a dependant upon him,) who paid six thousand pound ready money; which, poor man! he lived to repent in a gaol. This work being done at the charge of the poor old man, who had been a privy-counsellor from the entrance of king James, had been chancellor of the exchequer, and served in other offices; the depriving him of his right made a great noise: and the condition of his son, (his father being not like to live to have the disposal of another office in his power,) who, as was said before, was generally beloved and esteemed, was argument of great compassion, and was lively and successfully represented to the king himself; who was graciously pleased to promise, that, "if the old man chanced to die "before any other of the six-clerks, that office, "when it should fall, should be conferred on his "son, whosoever should succeed him as master of "the rolls:" which might well be provided for; and the lord treasurer obliged himself (to expiate for the injury) to procure some declaration to that purpose, under his majesty's sign manual; which, however easy to be done, he long forgot, or neglected.

One day the earl of Tullibardine, who was nearly allied to Mr. Cæsar, and much his friend, being with the treasurer, passionately asked him, "Whe-"ther he had done that business?" To whom he answered with a seeming trouble, "That he had "forgotten it, for which he was heartily sorry; and "if he would give him a little in writing, for a

" memorial, he would put it amongst those which " he would despatch with the king that afternoon." The earl presently writ in a little paper, *Remember Cæsar;* and gave it to him; and he put it into that little pocket, where, he said, he kept all his memorials which were first to be transacted.

Many days passed, and Cæsar never thought of. At length, when he changed his clothes, and he who waited on him in his chamber, according to custom, brought him all the notes and papers which were left in those he had left off, which he then commonly perused; when he found this little billet, in which was only written, *Remember Cæsar*, and which he had never read before, he was exceedingly confounded, and knew not what to make or think of it. He sent for his bosom friends, with whom he most confidently consulted, and shewed the paper to them, the contents whereof he could not conceive; but that it might probably have been put into his hand (because it was found in that enclosure, wherein he put all things of moment which were given him) when he was in motion, and in the privy lodgings in the court. After a serious and melancholic deliberation, it was agreed, that it was the advertisement from some friend, who durst not own the discovery: that it could signify nothing but that there was a conspiracy against his life, by his many and mighty enemies: and they all knew Cæsar's fate, by contemning or neglecting such animadversions. And therefore they concluded, that he should pretend to be indisposed, that he might not stir abroad all that day, nor that any might be admitted to him, but persons of undoubted affections; that at night

the gate should be shut early, and the porter enjoined to open it to nobody, nor to go himself to bed till the morning; and that some servants should watch with him, lest violence might be used at the gate; and that they themselves, and some other gentlemen, would sit up all the night, and attend the event. Such houses are always in the morning haunted by early suitors; but it was very late before any could now get admittance into the house, the porter having quitted some of that arrear of sleep, which he owed to himself for his night's watching; which he excused to his acquaintance, by whispering to them, "That his lord should have "been killed that night, which had kept all the "house from going to bed." And shortly after, the earl of Tullibardine asking him, whether he had remembered Cæsar; the treasurer quickly recollected the ground of his perturbation, and could not forbear imparting it to his friends, who likewise affected the communication, and so the whole jest came to be discovered.

To conclude, all the honours the king conferred upon him (as he made him a baron, then an earl, and knight of the garter; and above this, gave a young beautiful lady nearly allied to him, and to the crown of Scotland, in marriage to his eldest son) could not make him think himself great enough. Nor could all the king's bounties, nor his own large accessions, raise a fortune to his heir; but after six or eight years spent in outward opulency, and inward murmur and trouble that it was no greater; after vast sums of money and great wealth gotten, and rather consumed than enjoyed, without any sense or delight in so great

prosperity, with the agony that it was no greater; he died unlamented by any; bitterly mentioned by most who never pretended to love him, and severely censured and complained of by those who expected most from him, and deserved best of him; and left a numerous family, which was in a short time worn out, and yet outlived the fortune he left behind him.

The next greatest counsellor of state was the lord privy-seal, who was likewise of a noble extraction, and of a family at that time very fortunate. His grandfather had been lord chief justice, and left by king Harry the Eighth one of the executors of his last will. He was the younger son of his father, and brought up in the study of the law in the Middle Temple; and had passed through, and, as it were, made a progress through all the eminent degrees of the law, and in the state. At the death of queen Elizabeth, or thereabouts, he was recorder of London; then the king's sergeant at law; afterwards chief justice of the king's bench. Before the death of king James, by the favour of the duke of Buckingham, he was raised to the place of lord high treasurer of England; and within less than a year afterwards, by the withdrawing of that favour, he was reduced to the empty title of president of the council; and, to allay the sense of the dishonour, created viscount Mandevile. He bore the diminution very well, as he was a wise man, and of an excellent temper, and quickly recovered so much grace, that he was made lord privy-seal, and earl of Manchester, and enjoyed that office to his death; whilst he saw many re-

moves and degradations in all the other offices of which he had been possessed.

He was a man of great industry and sagacity in business, which he delighted in exceedingly; and preserved so great a vigour of mind, even to his death, (when he was very near eighty years of age,) that some, who had known him in his younger years, did believe him to have much quicker parts in his age, than before. His honours had grown faster upon him than his fortunes; which made him too solicitous to advance the latter, by all the ways which offered themselves; whereby he exposed himself to some inconvenience, and many reproaches, and became less capable of serving the public by his counsels and authority; which his known wisdom, long experience, and confessed gravity and ability, would have enabled him to have done; most men considering more the person that speaks, than the things he says. And he was unhappily too much used as a check upon the lord Coventry; and when the other perplexed their counsels and designs with inconvenient objections in law, his authority, who had trod the same paths, was still called upon; and he did too frequently gratify their unjustifiable designs and pretences: a guilt and mischief, all men who are obnoxious, or who are thought to be so, are liable to, and can hardly preserve themselves from. But his virtues so far weighed down his infirmities, that he maintained a good general reputation and credit with the whole nation and people; he being always looked upon as full of integrity and zeal to the protestant religion, as it was established by law,

and of unquestionable loyalty, duty, and fidelity to the king; which two qualifications will ever gather popular breath enough to fill the sails, if the vessel be competently provided with ballast. He died in a lucky time, in the beginning of the rebellion, when neither religion, or loyalty, or law, or wisdom, could have provided for any man's security.

The earl of Arundel was next to the officers of state, who, in his own right and quality, preceded the rest of the council. He was a man supercilious and proud, who lived always within himself, and to himself, conversing little with any who were in common conversation; so that he seemed to live as it were in another nation, his house being a place to which all men resorted, who resorted to no other place; strangers, or such who affected to look like strangers, and dressed themselves accordingly. He resorted sometimes to the court, because there only was a greater man than himself; and went thither the seldomer, because there was a greater man than himself. He lived towards all favourites, and great officers, without any kind of condescension; and rather suffered himself to be ill treated by their power and authority (for he was always in disgrace, and once or twice prisoner in the Tower) than to descend in making any application to them.

And upon these occasions he spent a great interval of his time in several journeys into foreign parts, and, with his wife and family, had lived some years in Italy, the humour and manners of which nation he seemed most to like and approve, and affected to imitate. He had a good fortune by descent, and a much greater from his wife, who

was the sole daughter upon the matter (for neither of the two sisters left any issue) of the great house of Shrewsbury: but his expenses were without any measure, and always exceeded very much his revenue. He was willing to be thought a scholar, and to understand the most mysterious parts of antiquity, because he made a wonderful and costly purchase of excellent statues, whilst he was in Italy and in Rome, (some whereof he could never obtain permission to remove from Rome, though he had paid for them,) and had a rare collection of the most curious medals; whereas in truth he was only able to buy them, never to understand them; and as to all parts of learning he was almost illiterate, and thought no other part of history considerable, but what related to his own family; in which, no doubt, there had been some very memorable persons. It cannot be denied that he had in his person, in his aspect, and countenance, the appearance of a great man, which he preserved in his gait and motion. He wore and affected a habit very different from that of the time, such as men had only beheld in the pictures of the most considerable men; all which drew the eyes of most, and the reverence of many, towards him, as the image and representative of the primitive nobility, and native gravity of the nobles, when they had been most venerable: but this was only his outside, his nature and true humour being so much disposed to vulgar delights, which indeed were very despicable and childish. He was never suspected to love anybody, nor to have the least propensity to justice, charity, or compassion, so that though he got all he could, and by all the ways he

could, and spent much more than he got or had; he was never known to give any thing, nor in all his employments (for he had employments, of great profit as well as honour, being sent ambassador extraordinary into Germany, for the treaty of that general peace, for which he had great appointments, and in which he did nothing of the least importance, and which is more wonderful, he was afterwards made general of the army raised for Scotland, and received full pay as such; and in his own office of earl marshal, more money was drawn from the people by his avidity and pretence of jurisdiction, than had ever been extorted by all the officers preceding,) yet, I say, in all his offices and employments, never man used or employed by him, ever got any fortune under him, nor did ever any man acknowledge any obligation to him. He was rather thought to be without religion, than to incline to this or that party of any; he would have been a proper instrument for any tyranny, if he could have a man tyrant enough to have been advised by him, and had no other affection for the nation or the kingdom, than as he had a great share in it, in which, like the great leviathan, he might sport himself; from which he withdrew himself, as soon as he discerned the repose thereof was like to be disturbed, and died in Italy, under the same doubtful character of religion in which he lived.

William earl of Pembroke was next, a man of another mould and making, and of another fame and reputation with all men, being the most universally loved and esteemed of any man of that age; and, having a great office in the court, he

made the court itself better esteemed, and more reverenced in the country. And as he had a great number of friends of the best men, so no man had ever the wickedness to avow himself to be his enemy. He was a man very well bred, and of excellent parts, and a graceful speaker upon any subject, having a good proportion of learning, and a ready wit to apply it, and enlarge upon it; of a pleasant and facetious humour, and a disposition affable, generous, and magnificent. He was master of a great fortune from his ancestors, and had a great addition by his wife, another daughter and heir of the earl of Shrewsbury, which he enjoyed during his life, she outliving him: but all served not his expense, which was only limited by his great mind, and occasions to use it nobly.

He lived many years about the court, before in it; and never by it; being rather regarded and esteemed by king James, than loved and favoured. After the foul fall of the earl of Somerset, he was made lord chamberlain of the king's house, more for the court's sake than his own; and the court appeared with the more lustre, because he had the government of that province. As he spent and lived upon his own fortune, so he stood upon his own feet, without any other support than of his proper virtue and merit; and lived towards the favourites with that decency, as would not suffer them to censure or reproach his master's judgment and election, but as with men of his own rank. He was exceedingly beloved in the court, because he never desired to get that for himself, which others laboured for, but was still ready to promote the pretences of worthy men. And he was equally

celebrated in the country, for having received no obligations from the court which might corrupt or sway his affections and judgment; so that all who were displeased and unsatisfied in the court, or with the court, were always inclined to put themselves under his banner, if he would have admitted them; and yet he did not so reject them, as to make them choose another shelter, but so far to depend on him, that he could restrain them from breaking out beyond private resentments and murmurs.

He was a great lover of his country, and of the religion and justice, which he believed could only support it; and his friendships were only with men of those principles. And as his conversation was most with men of the most pregnant parts and understanding, so towards any, who needed support or encouragement, though unknown, if fairly recommended to him, he was very liberal. And sure never man was planted in a court, that was fitter for that soil, or brought better qualities with him to purify that air.

Yet his memory must not be so flattered, that his virtues and good inclinations may be believed without some allay of vice, and without being clouded with great infirmities, which he had in too exorbitant a proportion. He indulged to himself the pleasures of all kinds, almost in all excesses. To women, whether out of his natural constitution, or for want of his domestic content and delight, (in which he was most unhappy, for he paid much too dear for his wife's fortune, by taking her person into the bargain,) he was immoderately given up. But therein he likewise retained such a power and

jurisdiction over his very appetite, that he was not so much transported with beauty and outward allurements, as with those advantages of the mind, as manifested an extraordinary wit, and spirit, and knowledge, and administered great pleasure in the conversation. To these he sacrificed himself, his precious time, and much of his fortune. And some, who were nearest his trust and friendship, were not without apprehension, that his natural vivacity and vigour of mind began to lessen and decline by those excessive indulgences.

About the time of the death of king James, or presently after, he was made lord steward of his majesty's house, that the staff of chamberlain might be put into the hands of his brother, the earl of Montgomery, upon a new contract of friendship with the duke of Buckingham; after whose death, he had likewise such offices of his, as he most affected, of honour and command; none of profit, which he cared not for; and within two years after, he died himself of an apoplexy, after a full and cheerful supper.

A short story may not be unfitly inserted, it being very frequently mentioned by the person whose character is here undertaken to be set down, and who, at that time, being on his way to London, met at Maidenhead some persons of quality, of relation or dependance upon the earl of Pembroke, sir Charles Morgan, commonly called General Morgan, who had commanded an army in Germany, and defended Stoad; Dr. Feild, then bishop of Saint David's; and Dr. Chafin, the earl's then chaplain in his house, and much in his favour. At supper one of them drank a health to the lord

steward: upon which another of them said, "that "he believed his lord was at that time very merry, "for he had now outlived the day, which his tutor "Sandford had prognosticated upon his nativity he "would not outlive; which he had done now, for "that was his birthday, which had completed his "age to fifty years." The next morning, by the time they came to Colebrook, they met with the news of his death.

He died exceedingly lamented by all qualities of men, and left many of his servants and dependants owners of good estates, raised out of his employments and bounty. Nor had his heir cause to complain: for though his expenses had been very magnificent, (and it may be the less considered, and his providence the less, because he had no child to inherit,) insomuch as he left a great debt charged upon the estate; yet considering the wealth he left in jewels, plate, and furniture, and the estate his brother enjoyed in the right of his wife (who was not fit to manage it herself) during her long life, he may be justly said to have inherited as good an estate from him, as he had from his father, which was one of the best in England.

The earl of Montgomery, who was then lord chamberlain of the household, and now earl of Pembroke, and the earl of Dorset, were likewise of the privy-council; men of very different talents and qualifications. The former being a young man, scarce of age at the entrance of king James, had the good fortune, by the comeliness of his person, his skill, and indefatigable industry in hunting, to be the first who drew the king's eyes towards him with affection; which was quickly so far improved,

that he had the reputation of a favourite. And before the end of the first or second year, he was made gentleman of the king's bedchamber, and earl of Montgomery; which did the king no harm: for besides that he received the king's bounty with more moderation than other men, who succeeded him, he was generally known, and as generally esteemed; being the son and younger brother to the earl of Pembroke, who liberally supplied his expense, beyond what his annuity from his father would bear.

He pretended to no other qualifications, than to understand horses and dogs very well, which his master loved him the better for, (being, at his first coming into England, very jealous of those who had the reputation of great parts,) and to be believed honest and generous, which made him many friends, and left him no enemy. He had not sat many years in that sunshine, when a new comet appeared in court, Robert Carr, a Scotsman, quickly after declared favourite: upon whom the king no sooner fixed his eyes, but the earl, without the least murmur or indisposition, left all doors open for his entrance; (a rare temper! and could proceed from nothing, but his great perfection in loving field-sports;) which the king received as so great an obligation, that he always after loved him in the second place, and commended him to his son at his death, as a man to be relied on in point of honesty and fidelity; though it appeared afterwards, that he was not strongly built, nor had sufficient ballast to endure a storm; of which more will be said hereafter.

The other, the earl of Dorset, was, to all in-

tents, principles, and purposes, another man; his person beautiful, and graceful, and vigorous; his wit pleasant, sparkling, and sublime; and his other parts of learning, and language, of that lustre, that he could not miscarry in the world. The vices he had were of the age, which he was not stubborn enough to contemn or resist. He was a younger brother, grandchild to the great treasurer Buckhurst, created, at the king's first entrance, earl of Dorset, who outlived his father, and took care and delight in the education of his grandchild, and left him a good support for a younger brother, besides a wife, who was heir to a fair fortune. As his person and parts were such as are before mentioned, so he gave them full scope, without restraint; and indulged to his appetite all the pleasures that season of his life (the fullest of jollity and riot of any that preceded or succeeded) could tempt or suggest to him.

He entered into a fatal quarrel, upon a subject very unwarrantable, with a young nobleman of Scotland, the lord Bruce; upon which they both transported themselves into Flanders, and attended only by two surgeons placed at a distance, and under an obligation not to stir but upon the fall of one of them, they fought under the walls of Antwerp, where the lord Bruce fell dead upon the place; and sir Edward Sackville (for so he was then called) being likewise hurt, retired into the next monastery, which was at hand. Nor did this miserable accident, which he did always exceedingly lament, make that thorough impression upon him, but that he indulged still too much to those importunate and insatiate appetites, even of that

individual person, that had so lately embarked him in that desperate enterprise; being too much tinder not to be inflamed with those sparks.

His elder brother did not enjoy his grandfather's title many years, before it descended, for want of heirs male, to the younger brother. But in these few years, by an excess of expense in all the ways to which money can he applied, he so entirely consumed almost the whole great fortune that descended to him, that, when he was forced to leave the title to his younger brother, he left upon the matter nothing to him to support it; which exposed him to many difficulties and inconveniences. Yet his known great parts, and the very good general reputation he had, notwithstanding his defects, acquired, (for as he was eminent in the house of commons, whilst he sat there; so he shined in the house of peers, when he came to move in that sphere,) inclined king James to call him to his privy-council before his death. And if he had not too much cherished his natural constitution and propensity, and been too much grieved and wrung by an uneasy and strait fortune, he would have been an excellent man of business; for he had a very sharp, discerning spirit, and was a man of an obliging nature, much honour, and great generosity, and of most entire fidelity to the crown.

There were two other persons of much authority in the council, because of great name in the court; as they deserved to be, being, without doubt, two as accomplished courtiers as were found in the palaces of all the princes in Europe; and the greatest (if not too great) improvers of

that breeding, and those qualifications, with which courts use to be adorned; the earl of Carlisle, and earl of Holland: both, (though men of pleasure,) by their long experience in court, well acquainted with the affairs of the kingdom, and better versed in those abroad, than any other who sat then at that board.

The former, a younger brother of a noble family in Scotland, came into the kingdom with king James, as a gentleman; under no other character, than a person well qualified by his breeding in France, and by study in human learning, in which he bore a good part in the entertainment of the king, who much delighted in that exercise; and by these means, and notable gracefulness in his behaviour, and affability, in which he excelled, he had wrought himself into a particular interest with his master, and into greater affection and esteem with the whole English nation, than any other of that country; by choosing their friendships and conversation, and really preferring it to any of his own: insomuch as upon the king's making him gentleman of his bedchamber and viscount Doncaster, and by his royal mediation (in which office he was a most prevalent prince) he obtained the sole daughter and heir of the lord Denny to be given him in marriage; by which he had a fair fortune in land provided for any issue he should raise, and which his son by that lady lived long to enjoy.

He ascended afterwards, and with the expedition he desired, to the other conveniences of the court. He was groom of the stole, and an earl, and knight of the garter; and married a beautiful young lady,

36677

daughter to the earl of Northumberland, without any other approbation of her father, or concernment in it, than suffering him and her to come into his presence after they were married. He lived rather in a fair intelligence than any friendship with the favourites; having credit enough with his master to provide for his own interest, and he troubled not himself for that of other men; and had no other consideration of money, than for the support of his lustre; and whilst he could do that, he cared not for money, having no bowels in the point of running in debt, or borrowing all he could.

He was surely a man of the greatest expense in his own person, of any in the age he lived; and introduced more of that expense in the excess of clothes and diet, than any other man; and was indeed the original of all those inventions, from which others did but transcribe copies. He had a great universal understanding, and could have taken as much delight in any other way, if he had thought any other as pleasant, and worth his care. But he found business was attended with more rivals and vexation; and, he thought, with much less pleasure, and not more innocence.

He left behind him the reputation of a very fine gentleman, and a most accomplished courtier; and after having spent, in a very jovial life, above four hundred thousand pounds, which, upon a strict computation, he received from the crown, he left not a house, nor acre of land, to be remembered by. And when he had in his prospect (for he was very sharp-sighted, and saw as far before him as most men) the gathering together of that cloud in Scotland, which shortly after covered both king-

35257

doms, he died with as much tranquillity of mind to all appearance, as used to attend a man of more severe exercise of virtue, and as little apprehension of death, which he expected many days.

The earl of Holland was a younger son of a noble house, and a very fruitful bed, which divided a numerous issue between two great fathers; the eldest, many sons and daughters to the lord Rich; the younger, of both sexes, to Mountjoy earl of Devonshire, who had been more than once married to the mother. The reputation of his family gave him no great advantage in the world, though his eldest brother was earl of Warwick, and owner of a great fortune; and his younger earl of Newport, of a very plentiful revenue likewise. He, after some time spent in France, betook himself to the war in Holland, which he intended to have made his profession; where, after he had made two or three campaigns, according to the custom of the English volunteers, he came in the leisure of the winter to visit his friends in England, and the court, that shined then in the plenty and bounty of king James; and about the time of the infancy of the duke of Buckingham's favour, to whom he grew in a short time very acceptable. But his friendship was more entire to the earl of Carlisle, who was more of his nature and humour, and had a generosity more applicable at that time to his fortune and his ends. And it was thought by many who stood within view, that for some years he supported himself upon the familiarity and friendship of the other; which continued mutually between them very many years, with little interruption, to their death.

He was a very handsome man, of a lovely and winning presence, and gentle conversation; by which he got so easy an admission into the court, and grace of king James, that he gave over the thought of further intending the life of a soldier. He took all the ways he could to endear himself to the duke, and to his confidence, and wisely declined the receiving any grace or favour, but as his donation; above all, avoided the suspicion that the king had any kindness for him, upon any account but of the duke, whose creature he desired to be esteemed, though the earl of Carlisle's friend. And he prospered so well in that pretence, that the king scarce made more haste to advance the duke, than the duke did to promote the other.

He first preferred him to a wife, the daughter and heir of Cope, by whom he had a good fortune; and, amongst other things, the manor and seat of Kensington, of which he was shortly after made baron. And he had quickly so entire a confidence in him, that he prevailed with the king to put him about his son the prince of Wales, and to be a gentleman of his bedchamber, before the duke himself had reason to promise himself any proportion of his highness's grace and protection. He was then made earl of Holland, captain of the guard, knight of the order, and of the privy-council; sent the first ambassador into France to treat the marriage with the queen, or rather privately to treat about the marriage before he was ambassador. And when the duke went to the Isle of Rhé, he trusted the earl of Holland with the command of that army with which he was to be recruited and assisted.

And in this confidence, and in this posture, he was left by the duke when he died; and having the advantage of the queen's good opinion and favour, (which the duke neither had, nor cared for,) he made all possible approaches towards the obtaining his trust, and succeeding him in his power; or rather that the queen might have solely that power, and he only be subservient to her; and upon this account he made a continual war upon the earl of Portland the treasurer, and all others who were not gracious to the queen, or desired not the increase of her authority. And in this state, and under this protection, he received every day new obligations from the king, and great bounties, and continued to flourish above any man in the court, whilst the weather was fair: but the storm did no sooner arise, but he changed so much, and declined so fast from the honour he was thought to be master of, that he fell into that condition, which there will be hereafter too much cause to mention, and to enlarge upon.

The two secretaries of state (which were not in those days officers of that magnitude they have been since, being only to make despatches upon the conclusion of councils, not to govern, or preside in those councils) were sir John Coke, who, upon the death of sir Albert Moreton, was, from being master of requests, preferred to be secretary of state; and sir Dudley Carleton, who, from his employment in Holland, was put into the place of the lord Conway, who, for age and incapacity, was at last removed from the secretary's office, which he had exercised for many years with very notable insufficiency; so that king James was wont

pleasantly to say, "That Stenny" (the duke of Buckingham) "had given him two very proper "servants; a secretary, who could neither write "or read; and a groom of his bedchamber, who "could not truss his points;" Mr. Clark having but one hand.

Of these two secretaries, the former was a man of a very narrow education, and a narrower nature; having continued long in the university of Cambridge, where he had gotten Latin learning enough; and afterwards in the country in the condition of a private gentleman, till after he was fifty years of age; when, upon some reputation he had for industry and diligence, he was called to some painful employment in the office of the navy, which he discharged well; and afterwards to be master of requests, and then to be secretary of state, which he enjoyed to a great age: and was a man rather unadorned with parts of vigour and quickness, and unendowed with any notable virtues, than notorious for any weakness or defect of understanding, than transported with any vicious inclinations, appetite to money only excepted. His cardinal perfection was industry, and his most eminent infirmity covetousness. His long experience had informed him well of the state and affairs of England; but of foreign transactions, or the common interest of Christian princes, he was entirely ignorant and undiscerning.

Sir Dudley Carleton was of a quite contrary nature, constitution, and education, and understood all that related to foreign employment, and the condition of other princes and nations, very well: but was utterly unacquainted with the government,

laws, and customs of his own country, and the nature of the people. He was a younger son in a good gentleman's family, and bred in Christ Church, in the university of Oxford, where he was a student of the foundation, and a young man of parts and towardly expectation. He went from thence early into France, and was soon after secretary to sir Harry Nevil, the ambassador there. He had been sent ambassador to Venice, where he resided many years with good reputation; and was no sooner returned from thence into England, than he went ambassador into Holland, to the States General, and resided there when that synod was assembled at Dort, which hath given the world so much occasion since for uncharitable disputations, which they were called together to prevent. Here the ambassador was not thought so equal a spectator, or assessor, as he ought to have been; but by the infusions he made into king James, and by his own activity, he did all he could to discountenance that party that was most learned, and to raise the credit and authority of the other; which has since proved as inconvenient and troublesome to their own country, as to their neighbours.

He was once more ambassador extraordinary in Holland after the death of king James, and was the last who was admitted to be present, and to vote in the general assembly of the States, under that character; of which great privilege the crown had been possessed from a great part of the reign of queen Elizabeth, and through the time of king James to that moment; which administered fresh matter of murmur for the giving up the towns of the Brill, and Flushing, which had been done some

years before by king James; without which men thought those States would not have had the courage so soon to have degraded the crown of England from a place in their councils, which had prospered so eminently under the shadow of that power and support. As soon as he returned from Holland, he was called to the privy-council; and the making him secretary of state, and a peer of the realm, when his estate was scarce visible, was the last piece of workmanship the duke of Buckingham lived to finish, who seldom satisfied himself with conferring a single obligation.

The duke had observed, and discovered, that the channel, in which the church promotions had formerly run, had been liable to some corruptions, at least to many reproaches; and therefore had committed the sole representation of those affairs, and the vacancies which should happen to Dr. Laud, then bishop of Bath and Wells, and sworn of the privy-council. And the king, after his death, continued that trust in the same hands, infinitely to the benefit and honour of the church, though, it may be, no less to the prejudice of the poor bishop; who, too secure in a good conscience, and most sincere worthy intentions, (with which no man was ever more plentifully replenished,) thought he could manage and discharge the place and office of the greatest minister in the court (for he was quickly made archbishop of Canterbury) without the least condescension to the arts and stratagems of the court, and without any other friendship, or support, than what the splendour of a pious life, and his unpolished integrity, would reconcile to him; which was an unskilful measure in a licentious age, and

may deceive a good man in the best that shall succeed; which exposed him to such a torrent of adversity and misery, as we shall have too natural an occasion to lament in the following discourse, in which it will be more seasonable to enlarge upon his singular abilities, and immense virtue.

There were more (too many more) honourable persons in that time of the privy-council, whose faculties were not notorious enough to give them any great part in the affairs, nor had their advice much influence upon them. Other very notable men were shortly after added to the council, who will anon be remembered in their proper places and seasons. What hath been said before contains information enough of the persons in employment, and the state of the court and kingdom, when the duke of Buckingham was taken from it; by which, and the lively reflections upon the qualities and qualifications of the several persons in authority in court and council, no man could expect that the vigorous designs and enterprises, undertaken by the duke, would be pursued with equal resolution and courage; but that much the greater part of them would be wholly intent upon their own accommodations in their fortunes, (in which they abounded not,) and in their ease and pleasure, which they most passionately affected; having, as hath been said, no other consideration of the public, than that no disturbance therein might interrupt their quiet in their own days: and that the rest, who had larger hearts and more public spirits, would extend their labour, activity, and advice, only to secure the empire at home by all peaceable arts, and advancement of trade, which might gratify

the people, and fill the empty coffers of the impoverished crown. To which end the most proper expedients were best understood by them, not to enlarge it, by continuing and propagating the war; the ways and means whereof they knew not how to comprehend; and had all the desperate imaginations and jealousies of the end and necessary consequences of it. And so they all concurred (though in nothing else) in their unanimous advice to the king "to put the quickest period he "could possibly to the expensive war against the "two crowns:" and, his majesty following their advice, a peace was made with both, upon better terms and conditions, and in less time, than, from the known impatience of the war, could reasonably have been expected, or hoped for. And after some short unquietness of the people, and unhappy assaults upon the prerogative by the parliament, which produced its dissolution, and thereupon some froward and obstinate disturbances in trade, there quickly followed so excellent a composure throughout the whole kingdom, that the like peace, and plenty, and universal tranquillity for ten years was never enjoyed by any nation; and was the more visible and manifest in England, by the sharp and bloody war suddenly entered into between the two neighbour crowns, and the universal conflagration, that, from the inundation of the Swedes, covered the whole empire of Germany. And so we shall return to the discourse, which this very long digression hath interrupted longer than was intended.

That proclamation, mentioned before, at the break of the last parliament, and which "inhi-"bited all men to speak of another parliament,"

produced two very ill effects of different natures. It afflicted many good men (who otherwise were enough scandalized at those distempers which had incensed the king) to that degree, that it made them capable of receiving some impressions from those who were diligent in whispering and infusing an opinion into men, "that there was really an in-"tention to alter the form of government, both in "church and state; of which, said they, a greater "instance cannot be given, than this public declar-"ing that we shall have no more parliaments." Then, this freedom from the danger of such an inquisition did not only encourage ill men to all boldness and license, but wrought so far upon men less inclined to ill, (though not built for examples,) that they kept not those strict guards upon themselves they used to do; especially if they found themselves above the reach of ordinary justice, and feared not extraordinary, they by degrees thought that no fault which was like to find no punishment. Supplemental acts of state were made to supply defect of laws; and so tonnage, and poundage, and other duties upon merchandises, were collected by order of the board, which had been perversely refused to be settled by act of parliament, and new and greater impositions laid upon trade: obsolete laws were revived, and rigorously executed, wherein the subject might be taught how unthrifty a thing it was, by too strict a detaining of what was his, to put the king as strictly to inquire what was his own.

And by this ill husbandry the king received a vast sum of money from all persons of quality, or indeed of any reasonable condition throughout the

kingdom, upon the law of knighthood; which, though it had a foundation in right, yet, in the circumstances of proceeding, was very grievous. And no less unjust projects of all kinds, many ridiculous, many scandalous, all very grievous, were set on foot; the envy and reproach of which came to the king, the profit to other men: insomuch as, of two hundred thousand pound drawn from the subject, by these ways, in a year, scarce fifteen hundred came to the king's use or account. To recompense the damage the crown sustained by the sale of the old lands, and by the grant of new pensions, the old laws of the forest are revived, by which not only great fines are imposed, but great annual rents intended, and like to be settled by way of contract; which burden lighted most upon persons of quality and honour, who thought themselves above ordinary oppressions, and therefore like to remember it with more sharpness. Lastly, for a spring and magazine that should have no bottom, and for an everlasting supply of all occasions, a writ is framed in a form of law, and directed to the sheriff of every county of England, "to provide a "ship of war for the king's service, and to send it, "amply provided and fitted, by such a day, to such "a place;" and with that writ were sent to each sheriff instructions, that, "instead of a ship, he "should levy upon his county such a sum of "money, and return the same to the treasurer of "the navy for his majesty's use, with direction, in "what manner he should proceed against such as "refused:" and from hence that tax had the denomination of ship-money; a word of a lasting sound in the memory of this kingdom; by which for

some years really accrued the yearly sum of two hundred thousand pounds to the king's coffers: and was in truth the only project that was accounted to his own service. And, after the continued receipt of it for four years together, was at last (upon the refusal of a private gentleman to pay thirty shillings as his share) with great solemnity publicly argued before all the judges of England in the exchequer-chamber, and by the major part of them, the king's right to impose asserted, and the tax adjudged lawful; which judgment proved of more advantage and credit to the gentleman condemned (Mr. Hambden) than to the king's service.

For the better support of these extraordinary ways, and to protect the agents and instruments, who must be employed in them, and to discountenance and suppress all bold inquirers and opposers, the council-table and star-chamber enlarge their jurisdictions to a vast extent, "holding" (as Thucydides said of the Athenians) "for honourable "that which pleased, and for just that which "profited;" and being the same persons in several rooms, grew both courts of law to determine right, and courts of revenue to bring money into the treasury; the council-table by proclamations enjoining this, that was not enjoined by the law, and prohibiting that which was not prohibited; and the star-chamber censuring the breach, and disobedience to those proclamations, by very great fines and imprisonment; so that any disrespect to acts of state, or to the persons of statesmen, was in no time more penal, and those foundations of right, by which men valued their security, to the apprehen-

sion and understanding of wise men, never more in danger to be destroyed.

And here I cannot but again take the liberty to say, that the circumstances and proceedings in those new extraordinary cases, stratagems, and impositions, were very unpolitic, and even destructive to the services intended. As if the business of ship-money, being an imposition by the state, under the notion of necessity, upon a prospect of danger, which private persons could not modestly think themselves qualified to discern, had been managed in the same extraordinary way as the royal loan (which was the imposing the five subsidies after the second parliament spoken of before) was, men would much easier have submitted to it; as it is notoriously known, that pressure was borne with much more cheerfulness before the judgment for the king, than ever it was after; men before pleasing themselves with doing somewhat for the king's service, as a testimony of their affection, which they were not bound to do; many really believing the necessity, and therefore thinking the burden reasonable; others observing, that the access to the king was of importance, when the damage to them was not considerable; and all assuring themselves, that when they should be weary, or unwilling to continue the payment, they might resort to the law for relief, and find it. But when they heard this demanded in a court of law, as a right, and found it, by sworn judges of the law, adjudged so, upon such grounds and reasons as every stander-by was able to swear was not law, and so had lost the pleasure and delight of being kind and dutiful to the king: and, instead of giving,

were required to pay, and by a logic that left no man any thing which he might call his own; they no more looked upon it as the case of one man, but the case of the kingdom, nor as an imposition laid upon them by the king, but by the judges; which they thought themselves bound in conscience to the public justice not to submit to. It was an observation long ago by Thucydides, "That men are "much more passionate for injustice, than for vio-"lence; because (says he) the one coming as from "an equal, seems rapine; when the other, proceed-"ing from one stronger, is but the effect of neces-"sity." So, when ship-money was transacted at the council-board, they looked upon it as a work of that power they were always obliged to trust, and an effect of that foresight they were naturally to rely upon. Immihent necessity, and public safety, were convincing persuasions; and it might not seem of apparent ill consequence to them, that upon an emergent occasion the regal power should fill up an hiatus, or supply an impotency in the law. But when they saw in a court of law, (that law that gave them title and possession of all that they had) apothegms of state urged as elements of law, judges as sharp-sighted as secretaries of state, and in the mysteries of state; judgment of law grounded upon matter of fact, of which there was neither inquiry or proof; and no reason given for the payment of the thirty shillings in question, but what concluded the estates of all the standers-by; they had no reason to hope that that doctrine, or the preachers of it, would be contained within any bounds; and it was no wonder that they, who had so little reason to be pleased with their own condition,

were not less solicitous for, or apprehensive of, the inconveniences that might attend any alteration.

And here the damage and mischief cannot be expressed, that the crown and state sustained by the deserved reproach and infamy that attended the judges, by being made use of in this and the like acts of power; there being no possibility to preserve the dignity, reverence, and estimation of the laws themselves, but by the integrity and innocency of the judges. And no question, as the exorbitancy of the house of commons this parliament hath proceeded principally from their contempt of the laws, and that contempt from the scandal of that judgment; so the concurrence of the house of peers in that fury can be imputed to no one thing more, than to the irreverence and scorn the judges were justly in; who had been always before looked upon there as the oracles of the law, and the best guides and directors of their opinions and actions: and they now thought themselves excused for swerving from the rules and customs of their predecessors (who in altering and making of laws, in judging of things and persons, had always observed the advice and judgment of those sages) in not asking questions of those whom they knew nobody would believe; and thinking it a just reproach upon them, (who out of their gentilesses had submitted the difficulties and mysteries of the law to be measured by the standard of general reason, and explained by the wisdom of state,) to see those men make use of the license they had taught, and determine that to be law, which they thought reasonable, or found to be convenient. If these men had preserved the simplicity of their ances-

tors, in severely and strictly defending the laws, other men had observed the modesty of theirs, in humbly and dutifully obeying them.

And upon this consideration it is very observable, that in the wisdom of former times, when the prerogative went highest, (as very often it hath been swoln above any pitch we have seen it at in our times,) never any court of law, very seldom any judge, or lawyer of reputation, was called upon to assist in an act of power; the crown well knowing the moment of keeping those the objects of reverence and veneration with the people: and that though it might sometimes make sallies upon them by the prerogative, yet the law would keep the people from any invasion of it, and that the king could never suffer, whilst the law and the judges were looked upon by the subject, as the asyla for their liberties, and security. And therefore you shall find the policy of many princes hath endured as sharp animadversions and reprehensions from the judges of the law, as their piety hath from the bishops of the church; imposing no less upon the people, under the reputation of justice, by the one, than of conscience and religion, by the other.

To extend this consideration of the form and circumstance of proceeding in cases of an unusual nature a little farther; as it may be most behoveful for princes in matters of grace and honour, and in conferring of favours upon their people, to transact the same as publicly as may be, and by themselves, or their ministers, to dilate upon it, and improve the lustre by any addition, or eloquence of speech; (where, it may be, every kind word, espe-

cially from the prince himself, is looked upon as a new bounty;) so it is as requisite in matters of judgment, punishment, and censure upon things, or persons, (especially when the case, in the nature of it, is unusual, and the rules in judging as extraordinary,) that the same be transacted as privately, and with as little noise and pomp of words, as may be. For (as damage is much easier borne and submitted to by generous minds, than disgrace) in the business of the ship-money, and in many other cases in the star-chamber, and at council-board, there were many impertinencies, incongruities, and insolencies, in the speeches and orations of the judges, much more offensive, and much more scandalous than the judgments and sentences themselves. Besides that men's minds and understandings were more instructed to discern the consequence of things, which before they considered not. As undoubtedly, my lord Finch's speech in the exchequer-chamber made ship-money much more abhorred and formidable, than all the commitments by the council-table, and all the distresses taken by the sheriffs in England; the major part of men (besides the common unconcernedness in other men's sufferings) looking upon those proceedings as a kind of applause to themselves, to see other men punished for not doing as they had done; which delight was quickly determined, when they found their own interest, by the unnecessary logic of that argument, no less concluded than Mr. Hambden's.

And he hath been but an ill observer of the passages of those times we speak of, who hath not seen many sober men, who have been clearly satisfied with the conveniency, necessity, and justice of

many sentences, depart notwithstanding extremely offended, and scandalized with the grounds, reasons, and expressions of those who inflicted those censures; when they found themselves, thinking to be only spectators of other men's sufferings, by some unnecessary inference or declaration, in probable danger to become the next delinquents.

They who look back upon the council-books of queen Elizabeth, and the acts of the star-chamber then, shall find as high instances of power and sovereignty upon the liberty and property of the subject, as can be since given. But the art, order, and gravity of those proceedings (where short, severe, constant rules were set, and smartly pursued, and the party only felt the weight of the judgment, not the passion of his judges) made them less taken notice of, and so less grievous to the public, though as intolerable to the person: whereas, since those excellent rules of the council-board were less observed, and debates (which ought to be in private, and in the absence of the party concerned, and thereupon the judgment of the table to be pronounced by one, without the interposition of others, or reply of the party) suffered to be public, questions to be asked, passions discovered, and opinions to be promiscuously delivered; all advice, directions, reprehensions, and censures of those places grew to be in less reverence and esteem; so that, besides the delay and interruption in despatch, the justice and prudence of the counsels did not many times weigh down the infirmity and passion of the counsellors; and both suitors and offenders returned into their country, with such exceptions and arguments against persons, as brought and

prepared much prejudice to whatsoever should proceed from thence; and whatever excuses shall be made, or arguments given, that upon such extraordinary occasions there was a necessity of some pains and care to convince the understandings of men with the reasons and grounds of their proceeding, (which, if what was done had been only *ad informandam conscientiam* without reproach, or penalty, might have been reasonable,) it is certain the inconvenience and prejudice, that grew thereby, was greater than the benefit: and the reasons of the judges being many times not the reasons of the judgment, that might more satisfactorily and more shortly been put in the sentence itself, than spread in the discourses of the censurers.

These errors (for errors they were in view, and errors they are proved by the success) are not to be imputed to the court, but to the spirit and overactivity of the lawyers themselves; who should more carefully have preserved their profession and the professors, from being profaned by those services which have rendered both so obnoxious to reproach. There were two persons of that profession, and of that time, by whose several and distinct constitutions (the one knowing nothing of nor caring for the court; the other knowing or caring for nothing else) those mischiefs were introduced; Mr. Noy, the attorney general; and sir John Finch, first, lord chief justice of the common pleas, and then lord keeper of the great seal of England.

The first, upon the great fame of his ability and learning, (and very able and learned he was,) was, by great industry and importunity from court, persuaded to accept that place, for which all other men

laboured, (being the best, for profit, that profession is capable of,) and so he suffered himself to be made the king's attorney general. The court made no impression upon his manners; upon his mind it did: and though he wore about him an affected morosity, which made him unapt to flatter other men, yet even that morosity and pride rendered him the most liable to be grossly flattered himself, that can be imagined. And by this means the great persons, who steered the public affairs, by admiring his parts, and extolling his judgment as well to his face as behind his back, wrought upon him by degrees, for the eminency of the service, to be an instrument in all their designs; thinking that he could not give a clearer testimony, that his knowledge in the law was greater than all other men's, than by making that law which all other men believed not to be so. So he moulded, framed, and pursued the odious and crying project of soap; and with his own hand drew and prepared the writ for ship-money, both which will be the lasting monuments of his fame. In a word, he was an unanswerable instance, how necessary a good education and knowledge of men is to make a wise man, at least a man fit for business.

Sir John Finch had much that the other wanted, but nothing that the other had. Having led a licentious life in a restrained fortune, and having set up upon the stock of a good wit, and natural parts, without the superstructure of much knowledge in the profession by which he was to grow; [he] was willing to use those weapons in which he had most skill, and so (being not unseen in the affections of the court, but not having reputation

enough to guide or reform them) he took up ship-money where Mr. Noy left it; and, being a judge, carried it up to that pinnacle, from whence he almost broke his own neck; having, in his journey thither, too much a solicitor to induce his brethren to concur in a judgment they had all cause to repent. To which, his declaration, after he was keeper of the great seal of England, must be added, upon a demurrer put in to a bill before him, which had no other equity in it, than an order of the lords of the council; "that whilst he was keeper, no man "should be so saucy to dispute those orders, but that "the wisdom of that board should be always ground "enough for him to make a decree in chancery;" which was so great an aggravation of the excess of that table, that it received more prejudice from that act of unreasonable countenance and respect, than from all the contempt could possibly have been offered to it. But of this no more.

Now after all this (and I hope I cannot be accused of much flattery in this inquisition) I must be so just as to say, that, during the whole time that these pressures were exercised, and those new and extraordinary ways were run, that is, from the dissolution of the parliament in the fourth year, to the beginning of this parliament, which was above twelve years, this kingdom, and all his majesty's dominions, (of the interruption in Scotland somewhat shall be said in its due time and place,) enjoyed the greatest calm, and the fullest measure of felicity, that any people in any age, for so long time together, have been blessed with; to the wonder and envy of all the parts of Christendom.

And in this comparison I am neither unmindful of,

nor ungrateful for, the happy times of queen Elizabeth, or for those more happy under king James. But for the former, the doubts, hazards, and perplexities, upon a total change and alteration of religion, and some confident attempts upon a farther alteration by those who thought not the reformation enough; the charge, trouble, and anxiety of a long continued war (how prosperous and successful soever) even during that queen's whole reign; and (besides some domestic ruptures into rebellion, frequently into treason; and besides the blemish of an unparalleled act of blood upon the life of a crowned neighbour queen and ally) the fear and apprehension of what was to come (which is one of the most unpleasant kinds of melancholy) from an unknown, at least an unacknowledged, successor to the crown, clouded much of that prosperity then, which now shines with so much splendour before our eyes in chronicle.

And for the other under king James, (which indeed were excellent times *bona si sua norint,*) the mingling with a stranger nation, formerly not very gracious with this, which was like to have more interest of favour: the subjection to a stranger prince, whose nature and disposition they knew not: the noise of treason,] the most prodigious that had ever been attempted, upon his first entrance into the kingdom: the wants of the crown not inferior to what it hath since felt, (I mean whilst it sat right on the head of the king,) and the pressures upon the subject of the same nature, and no less complained of: the absence of the prince in Spain, and the solicitude that his highness might not be disposed in marriage to the daughter of that king-

dom, rendered the calm and tranquillity of that time less equal and pleasant. To which may be added the prosperity and happiness of the neighbour kingdoms not much inferior to that of this, which, according to the pulse of states, is a great diminution of their health; at least their prosperity is much improved, and more visible, by the misery and misfortunes of their neighbours.

The happiness of the times I mentioned was enviously set off by this, that every other kingdom, every other province were engaged, some entangled, and some almost destroyed, by the rage and fury of arms; those which were ambitiously in contention with their neighbours, having the view and apprehensions of the miseries and desolation, which they saw other states suffer by a civil war; whilst the kingdoms we now lament were alone looked upon as the garden of the world; Scotland (which was but the wilderness of that garden) in a full, entire, undisturbed peace, which they had never seen; the rage and barbarism (that the blood, for of the charity we speak not) of their private feuds, being composed to the reverence, or to the awe, of public justice; in a competency, if not in an excess of plenty, which they had never hope to see, and in a temper (which was the utmost we desired and hoped to see) free from rebellion: Ireland, which had been a sponge to draw, and a gulph to swallow all that could be spared, and all that could be got from England, merely to keep the reputation of a kingdom, reduced to that good degree of husbandry and government, that it not only subsisted of itself, and gave this kingdom all that it might have expected from it; but really increased the revenue of

the crown forty or fifty thousand pounds a year, besides much more to the people in the traffick and trade from thence; arts and sciences fruitfully planted there; and the whole nation beginning to be so civilized, that it was a jewel of great lustre in the royal diadem.

When these outworks were thus fortified and adorned, it was no wonder if England was generally thought secure, with the advantages of its own climate; the court in great plenty, or rather (which is the discredit of plenty) excess, and luxury; the country rich, and, which is more, fully enjoying the pleasure of its own wealth, and so the easier corrupted with the pride and wantonness of it; the church flourishing with learned and extraordinary men, and (which other good times wanted) supplied with oil to feed those lamps; and the protestant religion more advanced against the church of Rome by writing, (without prejudice to other useful and godly labours,) especially by those two books of the late lord archbishop of Canterbury his grace, and of Mr. Chillingworth, than it had been from the reformation; trade increased to that degree, that we were the exchange of Christendom, (the revenue thereof to the crown being almost double to what it had been in the best times,) and the bullion of all other kingdoms brought to receive a stamp from the mint of England; all foreign merchants looking upon nothing as their own, but what they had laid up in the warehouses of this kingdom; the royal navy, in number and equipage much above former times, very formidable at sea; and the reputation of the greatness and power of the king much more with foreign princes than any

of his progenitors; for those rough courses, which made him hapily less loved at home, made him more feared abroad; by how much the power of kingdoms is more revereneed than their justice by their neighbours: and it may be, this consideration might not be the least motive, and may not be the worst excuse for those counsels. Lastly, for a complement of all these blessings, they were enjoyed by, and under the protection of, a king, of the most harmless disposition, and the most exemplary piety, the greatest example of sobriety, chastity, and mercy, that any prince hath been endowed with, (and God forgive those that have not been sensible of, and thankful for, those endowments,) and who might have said, that which Pericles was proud of, upon his deathbed, "that no Englishman had ever "worn a black gown through his occasion." In a word, many wise men thought it a time, wherein those two miserable adjuncts, which Nerva was deified for uniting, *imperium et libertas*, were as well reconciled as is possible.

But all these blessings could but enable, not compel us to be happy: we wanted that sense, acknowledgment, and value of our own happiness, which all but we had; and took pains to make, when we could not find, ourselves miserable. There was in truth a strange absence of understanding in most, and a strange perverseness of understanding in the rest: the court full of excess, idleness, and luxury; and the country full of pride, mutiny, and discontent; every man more troubled and perplexed at that they called the violation of one law, than delighted or pleased with the observation of all the rest of the charter: never imputing the increase of their receipts, re-

venue, and plenty, to the wisdom, virtue, and merit of the crown, but objecting every small imposition to the exorbitancy and tyranny of the government; the growth of knowledge and learning being disrelished, for the infirmities of some learned men, and the increase of grace and favour upon the church more repined and murmured at, than the increase of piety and devotion in the church, which was as visible, acknowledged, or taken notice of; whilst the indiscretion and folly of one sermon at Whitehall was more bruited abroad, and commented upon, than the wisdom, sobriety, and devotion of a hundred.

It cannot be denied but there was sometimes preached there matter very unfit for the place, and very scandalous for the persons, who presumed often to determine things out of the verge of their own profession, and, *in ordine ad spiritualia*, gave unto Cæsar what Cæsar refused to receive, as not belonging to him. But it is as true (as was once said by a man fitter to be believed in that point than I, and one not suspected for flattering of the clergy) "that "if the sermons of those times preached in court "were collected together, and published, the world "would receive the best bulk of orthodox divinity, "profound learning, convincing reason, natural pow- "erful eloquence, and admirable devotion, that hath "been communicated in any age since the apostles' "time." And I cannot but say, for the honour of the king, and of those who were trusted by him in his ecclesiastical collations (who have received but sad rewards for their uprightness) in those reproached, condemned times, there was not one churchman, in any degree of favour or acceptance, (and this the

inquisition, that hath been since made upon them—a stricter never was in any age—must confess,) of a scandalous insufficiency in learning, or of a more scandalous condition in life; but, on the contrary, most of them of confessed eminent parts in knowledge, and of virtuous or unblemished lives. And therefore wise men knew, that that, which looked like pride in some, and like petulance in others, would, by experience in affairs, and conversation amongst men, both of which most of them wanted, be in time wrought off, or, in a new succession, reformed, and so thought the vast advantage from their learning and integrity, an ample recompense for any inconvenience from their passion; and yet, by the prodigious impiety of those times, the latter was only looked on with malice and revenge, without any reverence or gratitude for the former.

When the king found himself possessed of all that tranquillity mentioned before, that he had no reason to apprehend any enemies from abroad, and less any insurrections at home, against which no kingdom in Christendom, in the constitution of its government, in the solidity and execution of the laws, and in the nature and disposition of the people, was more secure than England; that he might take a nearer view of those great blessings which God had poured upon him, he resolved to make a progress into the northern parts of his kingdom, and to be solemnly crowned in his kingdom of Scotland, which he had never seen from the time he first left it, when he was of the age of two years, and no more. In order to this journey, which was made with great splendour, and proportionable expense, he added to the train of his court many of the greatest nobility, who cared not

to add to the pomp of the court at their own charge, which they were obliged to do, and did with all visible alacrity submit to the king's pleasure, as soon as they knew his desire; and so his attendance in all respects was proportionable to the glory of the greatest king.

This whole progress was made, from the first setting out to the end of it, with the greatest magnificence imaginable; and the highest excess of feasting was then introduced, or, at least, carried to a height it had never been before; and from whence it hardly declined afterwards, to the great damage and mischief of the nation in their estates and manners. All persons of quality and condition, who lived within distance of the northern road, received the great persons of the nobility with that hospitality which became them; in which all cost was employed to make their entertainments splendid, and their houses capable for those entertainments. And the king himself met with many treatments of that nature, at the charge of particular men, who desired the honour of his presence, which had been rarely practised till then by the persons of the best condition, though it hath since grown into a very inconvenient custom. But when he passed through Nottinghamshire, both king and court were received and entertained by the earl of Newcastle, and at his own proper expense, in such a wonderful manner, and in such an excess of feasting, as had never before been known in England; and would be still thought very prodigious, if the same noble person had not, within a year or two afterwards, made the king and queen a more stupendous entertainment; which, (God be thanked,)

though possibly it might too much whet the appetite of others to excess, no man ever after imitated.

The great offices of the court, and principal places of attendance upon the king's person, were then upon the matter equally divided between the English and the Scots; the marquis of Hamilton master of the horse, and the earl of Carlisle first gentleman of the bedchamber, and almost all the second relation in that place, being of that kingdom; so that there was as it were an emulation between the two nations, which should appear in the greatest lustre, in clothes, horses, and attendance: and as there were (as is said before) many of the principal nobility of England, who attended upon the king, and who were not of the court; so the court was never without many Scots volunteers, and their number was well increased upon this occasion in nobility and gentry, who were resolved to convince all those who had believed their country to be very poor.

The king no sooner entered Scotland, but all his English servants and officers yielded up their attendance to those of the Scots nation, who were admitted into the same offices in Scotland, or had some titles to those relations by the constitution of that kingdom; as most of the great offices are held by inheritance; as the duke of Richmond and Lenox was then high steward, and high admiral of Scotland by descent, as others had the like possession of other places; so that all the tables of the house, which had been kept by the English officers, were laid down, and taken up again by the Scots, who kept them up with the

same order, and equal splendour, and treated the English with all the freedom and courtesy imaginable; as all the nobility of that nation did, at their own expense, where their offices did not entitle them to tables at the charge of the crown, keep very noble houses to entertain their new guests; who had so often and so well entertained them: and it cannot be denied, the whole behaviour of that nation towards the English was as generous and obliging as could be expected; and the king appeared with no less lustre at Edinburgh, than at Whitehall; and in this pomp his coronation passed with all the solemnity and evidence of public joy that can be imagined, or could be expected; and the parliament, then held, with no less demonstration of duty, passed and presented those acts which were prepared for them to the royal sceptre; in which were some laws which restrained the extravagant power of the nobility, which, in many cases, they had long exercised, and the diminution whereof they took very heavily, though at that time they took little notice of it; the king being absolutely advised in all the affairs of that kingdom then, and long before, and after, by the sole counsel of the marquis of Hamilton, who was, or at least then believed to be, of the greatest interest of any subject in that kingdom, of whom more will be said hereafter.

The king was very well pleased with his reception, and with all the transactions there; nor indeed was there any thing to be blamed, but the luxury and vast expense, which abounded in all respects of feasting and clothes with too much license: which being imputed to the commendable

zeal of the people of all conditions, to see their king amongst them, whom they were not like to see there again, and so their expense was to be but once made, and to the natural pride and vanity of that people, who will bear any inconveniences in it or from it, than confess the poverty of their country, no man had cause to suspect any mischief from it: and yet the debts contracted at that time by the nobility and gentry, and the wants and temptations they found themselves exposed to, from that unlimited expense, did very much contribute to the kindling that fire, which shortly after broke out in so terrible a combustion: nor were the sparks of murmur and sedition then so well covered, but that many discerning men discovered very pernicious designs to lurk in their breasts, who seemed to have the most cheerful countenance, and who acted great parts in the pomp and triumph. And it evidently appeared, that they of that nation, who shined most in the court of England, had the least influence in their own country, except only the marquis of Hamilton, whose affection to his master was even then suspected by the wisest men in both kingdoms; and that the immense bounties the king and his father had scattered amongst those of that nation, out of the wealth of England, besides that he had sacrificed the whole revenue and benefit of that kingdom to themselves, were not looked upon as any benefit to that people, but as obligations cast away upon particular men; many of whom had with it wasted their own patrimony in their country.

The king himself observed many of the nobility to endeavour to make themselves popular by speaking

in parliament against those things which were most grateful to his majesty, and which still passed, notwithstanding their contradiction; and he thought a little discountenance upon those persons would either suppress that spirit within themselves, or make the poison of it less operative upon others. But as those acts of discountenance were too often believed to proceed from the displeasure of the marquis of Hamilton, and so rather advanced than depressed the object, so that people have naturally an admirable dexterity in sheltering themselves from any of those acts of discountenance, which they had no mind to own; (as they are equal promoters and promulgators of it, though not intended when they can make benefit by it;) when it hath been notoriously visible, and it was then notorious, that many of the persons then, as the earl of Rothes, and others, of whom the king had the worst opinion, and from whom he most purposely withheld any grace by never speaking to them, or taking notice of them in the court, when the king was abroad in the fields, or passing through villages, when the greatest crowds of people flocked to see him, those men would still be next him, and entertain him with some discourse, and pleasant relations, which the king's gentle disposition could not avoid, and which made those persons to be generally believed to be most acceptable to his majesty; upon which the lord Falkland was wont to say, "that keeping of state was like committing "adultery, there must go two to it;" for let the proudest or most formal man resolve to keep what distance he will towards others, a bold and confident man instantly demolishes that whole machine,

and gets within him, and even obliges him to his own laws of conversation.

The king was always the most punctual observer of all decency in his devotion, and the strictest promoter of the ceremonies of the church, as believing in his soul the church of England to be instituted the nearest to the practice of the apostles, and the best for the propagation and advancement of Christian religion, of any church in the world: and on the other side, though no man was more averse from the Romish church than he was, no better understood the motives of their separation from us, and animosity against us, he had the highest dislike and prejudice to that part of his own subjects, who were against the government established, and did always look upon them as a very dangerous and seditious people; who would under pretence of conscience, which kept them from submitting to the spiritual jurisdiction, take the first opportunity they could find, or make, to disturb and withdraw themselves from their temporal subjection; and therefore he had, with the utmost vigilance, caused that temper and disposition to be watched and provided against in England: and if it were then in truth there, it lurked with wonderful secrecy. In Scotland indeed it covered the whole nation, so that though there were bishops in name, the whole jurisdiction, and they themselves were, upon the matter, subject to an assembly, which was purely presbyterian; no form of religion in practice, no liturgy, nor the least appearance of any beauty of holiness: the clergy, for the most part, corrupted in their principles; at least, (for it cannot be denied but that their universities, espe-

cially Aberdeen, flourished under many excellent scholars and very learned men,) none countenanced by the great men, or favoured by the people, but such; yet, though all the cathedral churches were totally neglected with reference to those administrations over the whole kingdom, yet the king's own chapel at Holyrood-house had still been maintained with the decency and splendour of the cathedral service, and all other formalities incident to the royal chapel; and the whole nation seemed, in the time of king James, well inclined to receive the liturgy of the church of England, which the king exceedingly desired, and was so confident of, that they who were privy to the counsels of that king in that time did believe, that the bringing that work to pass was the principal end of his progress thither some years before his death; though he was not so well satisfied at his being there, two or three of the principal persons trusted by him in the government of that kingdom, dying in or about that very time: but [though] he returned without making any visible attempt in that affair, yet he retained still the purpose and resolution to his death to bring it to pass. However, his two or three last years were less pleasant to him, by the prince's voyage into Spain, the jealousies which, about that time, began in England, and the imperious proceedings in parliament there, so that he thought it necessary to suspend any prosecution of that design, until a more favourable conjuncture, and he lived not to see that conjuncture.

The king his son, who, with his kingdoms and other virtues, inherited that zeal for religion, proposed nothing more to himself, than to unite his

three kingdoms in one form of God's worship, and in a uniformity in public devotions; and there being now so great a serenity in all his dominions as is mentioned before, there is great reason to believe, that in this journey into Scotland to be crowned, he carried the resolution with him to finish that important business in the church at the same time. And to that end, the then bishop of London, Dr. Laud, attended on his majesty throughout that whole journey, which, as he was dean of the chapel, he was not obliged to do, and no doubt would have been excused from, if that design had not been in view; to accomplish which he was not less solicitous than the king himself, nor the king the less solicitous for his advice. He preached in the royal chapel, (which scarce any Englishman had ever done before in the king's presence,) and principally upon the benefit of conformity, and the reverent ceremonies of the church, with all the marks of approbation and applause imaginable; the great civility of that people being so notorious and universal, that they would not appear unconformable to his majesty's wish in any particular. And many wise men were then and still are of opinion, that if the king had then proposed the liturgy of the church of England to have been received and practised by that nation, it would have been submitted to against all opposition: but, upon mature consideration, the king concluded that it was not a good season to promote that business.

He had passed two or three acts of parliament, which had much lessened the authority and dependence of the nobility and great men, and incensed and disposed them proportionably to cross

and oppose any proposition, which would be most grateful; and that tharteous humour was enough discovered to rule in the breasts of many, who made the greatest professions. Yet this was not the obstruction which diverted the king: the party that was averse from the thing, and abhorred any thought of conformity, could not have been powerful enough to have stopped the progress of it; the mischief was, that they who most desired it, and were most concerned to promote it, were the men who used all their credit to divert the present attempting it; and the bishops themselves, whose interest was to be most advanced thereby, applied all their counsels secretly to have the matter more maturely considered; and the whole design was never consulted but privately, and only some few of the great men of that nation, and some of the bishops, advised with by the king, and the bishop of London; it being manifest enough, that as the finishing that great affair must be very grateful to England, so the English must not appear to have a hand in the contriving and promoting it.

The same, who did not only pretend, but really and heartily wish, that they might have a liturgy to order and regulate the worship of God in their churches, and did very well approve the ceremonies established in the church of England, and desired to submit and practise the same there, had no mind that the very liturgy of the church of England should be proposed to, or accepted by them; for which they offered two prudential reasons, as their observations upon the nature and humour of the nation, and upon the conferences they had often had with the best men upon that subject, which

was often agitated in discourse, upon what had been formerly projected by king James, and upon what frequently occurred to wise men in discourses upon the thing itself, and the desirableness of it.

The first was, that the English liturgy, how piously and wisely soever framed and instituted, had found great opposition: and though the matter of the ceremonies had wrought for the most part only upon light-headed, weak men, whose satisfaction was not to be laboured; yet there were many grave and learned men, who excepted against some particulars, which would not be so easily answered; "That the reading Psalms being of the old transla-" tion were in many particulars so different from " the new and better translation, that many in-" stances might be given of importance to the sense " and truth of scripture." They said somewhat of the same nature concerning the translation of the Epistles and Gospels, and some other exceptions against reading the Apocrypha, and some other particulars of less moment; and desired, " that, in forming a liturgy for their church, they " might, by reforming those several instances, give " satisfaction to good men, who would thereupon " be easily induced to submit to it."

The other, which no doubt but took this in the way to give it the better introduction, was, " that " the kingdom of Scotland generally had been long " jealous, that, by the king's continued absence " from them, [it] should by degrees be reduced to " be but as a province to England, and subject to " their laws and government, which it would never " submit to; nor would any man of honour, who " loved the king best, and respected England most,

"ever consent to bring that dishonour upon his "country. If the very liturgy, in the terms it is "constituted and practised in England, should be "offered to them, it would kindle and inflame that "jealousy, as the prologue and introduction to that "design, and as the first rung of the ladder, which "should serve to mount over all their customs and "privileges, and be opposed and detested accord-"ingly: whereas, if his majesty would give order "for the preparing a liturgy, with those few desir-"able alterations, it would easily be done; and in "the mean time they would so dispose the minds "of the people for the reception of it, that they "should even desire it." And this expedient was so passionately and vehemently urged even by the bishops, that, however they referred to the minds and humours of other men, it was manifest enough, that the exception and advice proceeded from the pride of their own hearts.

The bishop of London, who was always present with the king at these debates, was exceedingly troubled at this interjection, and to find those men the instruments in it, who had seemed to him as solicitous for the expedition, as zealous for the thing itself, and who could not but suffer by the delay. He knew well how far any enemies to conformity would be from being satisfied with those small alterations, which being consented to, they would with more confidence, though less reason, frame other exceptions, and insist upon them with more obstinacy. He foresaw the difficulties which would arise in rejecting, or altering, or adding to the liturgy, which had so great authority, and had, by the practice of near fourscore years, obtained

great veneration from all protestants; and how much easier it would be to make objections against any thing that should be new, than against the old; and would therefore have been very glad that the former resolution might be pursued; there having never been any thought in the time of king James, or the present king, but of the English liturgy; besides that any variation from it, in how small matters soever, would make the uniformity the less, the manifestation whereof was that which was most aimed at and desired.

The king had exceedingly set his heart upon the matter, and was as much scandalized as any man at the disorder and indecency in the exercise of religion in that church: yet he was affected with what was offered for a little delay in the execution, and knew more of the ill humour and practices amongst the greatest men of the kingdom at that season, than the bishop did, and believed he could better compose and reduce them in a little time, and at a distance, than at the present, and whilst he was amongst them. Besides he was in his nature too much inclined to the Scots nation, having been born amongst them, and as jealous as any one of them could be that their liberties and privileges might not be invaded by the English, who, he knew, had no reverence for them: and therefore the objection, "that it would look like an imposi-"tion from England, if a form, settled in parlia-"ment at Westminster, should without any altera-"tion be tendered (though by himself) to be sub-"mitted to, and observed in Scotland," made a leep impression in his majesty.

In a word, he committed the framing and com-

posing such a liturgy as would most probably be acceptable to that people, to a select number of the bishops there, who were very able and willing to undertake it: and so his majesty returned into England, at the time proposed to himself, without having ever proposed, or made the least approach in public towards any alteration in the church.

It had been very happy, if there had been then nothing done indeed, that had any reference to that affair, and that, since it was not ready to promote it, nothing had been transacted, which accidentally alienated the affections of the people from it; and this was imputed to the bishop of London, who was like enough to be guilty of it, since he did naturally believe, that nothing more contributed to the benefit and advancement of the church, than the promotion of churchmen to places of the greatest honour, and offices of the highest trust: and this opinion and the prosecution of it (though his integrity was unquestionable, and his zeal as great for the good and honour of the state, as for the advancement and security of the church) was the unhappy foundation of his own ruin, and of the prejudice towards, and malice against, and almost destruction of the church.

During the king's stay in Scotland, when he found the conjuncture not yet ripe for perfecting that good order which he intended in the church, he resolved to leave a monument behind him of his own affection and esteem of it. Edinburgh, though the metropolis of the kingdom, and the chief seat of the king's own residence, and the place where the council of state and the courts of justice still

remained, was but a borough town within the diocese of the archbishop of saint Andrew's, and governed in all church affairs by the preachers of the town; who, being chosen by the citizens from the time of Mr. Knox, (who had a principal hand in the suppression of popery, with circumstances not very commendable to this day,) had been the most turbulent and seditious ministers of confusion that could be found in the kingdom; of which king James had so sad experience, after he came to age, as well as in his minority, that he would often say, "that his access to the crown of England was the "more valuable to him, as it redeemed him from "the subjection to their ill manners and insolent "practices, which he could never shake off before." The king, before his return from thence, with the full consent and approbation of the archbishop of saint Andrew's, erected Edinburgh into a bishopric, assigned it a good and convenient jurisdiction out of the nearest limits of the diocese of saint Andrew's, appointed the fairest church in the town to be the cathedral, settled a competent revenue upon the bishop out of lands purchased by his majesty himself from the duke of Lenox, who sold it much the cheaper, that it might be consecrated to so pious an end; and placed a very eminent scholar of a good family in the kingdom, who had been educated in the university of Cambridge, to be the first bishop in that his new city; and made another person, of good fame and learning, his first dean of his new cathedral, upon whom likewise he settled a proper maintenance; hoping by this means the better to prepare the people of the place, who were the most numerous and richest

of the kingdom, to have a due reverence to order and government, and at least to discountenance, if not suppress, the factious spirit of presbytery, which had so long ruled there. But this application little contributed thereunto: and the people generally thought, that they had too many bishops before, and so the increasing the number was not like to be very grateful to them.

The bishops had indeed very little interest in the affection of that nation, and less authority over it; they had not power to reform or regulate their own cathedrals, and very rarely shewed themselves in the habit and robes of bishops; and durst not contest with the general assembly in matters of jurisdiction: so that there was little more than the name of episcopacy preserved in that church. To redeem them from that contempt, and to shew that they should be considerable in the state, how little authority soever they were permitted to have in the church, the king made the archbishop of saint Andrew's, a learned, wise, and pious man, and of long experience, chancellor of the kingdom, (the greatest office, and which had never been in the hands of a churchman since the reformation of religion, and suppressing the pope's authority,) and four or five other bishops of the privy-council, or lords of the session; which his majesty presumed, by their power in the civil government, and in the judicatories of the kingdom, would render them so much the more reverenced, and the better enable them to settle the affairs of the church: which fell out otherwise too; and it had been better that envious promotion had been suspended, till by their grave and pious deportment they had wrought upon their

clergy to be better disposed to obey them, and upon the people to like order and discipline; and till by these means the liturgy had been settled, and received amongst them; and then the advancing some of them to greater honour might have done well.

But this unseasonable accumulation of so many honours upon them, to which their functions did not entitle them, (no bishop having been so much as a privy-counsellor in very many years,) exposed them to the universal envy of the whole nobility, many whereof wished them well, as to all their ecclesiastical qualifications, but could not endure to see them possessed of those offices and employments, which they looked upon as naturally belonging to them; and then the number of them was thought too great, so that they overbalanced many debates; and some of them, by want of temper, or want of breeding, did not behave themselves with that decency in their debates, towards the greatest men of the kingdom, as in discretion they ought to have done, and as the others reasonably expected from them: so that, instead of bringing any advantage to the church, or facilitating the good intentions of the king in settling order and government, it produced a more general prejudice to it; though for the present there appeared no sign of discontent, or ill-will to them; and the king left Scotland, as he believed, full of affection and duty to him, and well inclined to receive a liturgy, when he should think it seasonable to commend it to them.

It was about the end of August in the year 1633, when the king returned from Scotland to Greenwich, where the queen kept her court; and the first acci-

dent of moment, that happened after his coming thither, was the death of Abbot, archbishop of Canterbury; who had sat too many years in that see, and had too great a jurisdiction over the church, though he was without any credit in the court from the death of king James, and had not much in many years before. He had been head or master of one of the poorest colleges in Oxford, and had learning sufficient for that province. He was a man of very morose manners, and a very sour aspect, which, in that time, was called gravity; and under the opinion of that virtue, and by the recommendation of the earl of Dunbar, the king's first Scotch favourite, he was preferred by king James to the bishopric of Coventry and Litchfield, and presently after to London, before he had been parson, vicar, or curate of any parish-church in England, or dean or prebend of any cathedral church; and was in truth totally ignorant of the true constitution of the church of England, and the state and interest of the clergy; as sufficiently appeared throughout the whole course of his life afterward.

He had scarce performed any part of the office of a bishop in the diocese of London, when he was snatched from thence, and promoted to Canterbury, upon the never enough lamented death of Dr. Bancroft, that metropolitan, who understood the church excellently, and had almost rescued it out of the hands of the Calvinian party, and very much subdued the unruly spirit of the nonconformists, by and after the conference at Hampton-court; countenanced men of the greatest parts in learning, and disposed the clergy to a more solid course of study, than they had been accustomed to; and, if he had

lived, would quickly have extinguished all that fire in England, which had been kindled at Geneva; or if he had been succeeded by bishop Andrews, bishop Overal, or any man who understood and loved the church, that infection would easily have been kept out, which could not afterwards be so easily expelled.

But Abbot brought none of this antidote with him, and considered Christian religion no otherwise, than as it abhorred and reviled popery, and valued those men most, who did that most furiously. For the strict observation of the discipline of the church, or the conformity to the articles or canons established, he made little inquiry, and took less care; and having himself made a very little progress in the ancient and solid study of divinity, he adhered wholly to the doctrine of Calvin, and, for his sake, did not think so ill of the discipline as he ought to have done. But if men prudently forbore a public reviling and railing at the hierarchy and ecclesiastical government, let their opinions and private practice be what it would, they were not only secure from any inquisition of his, but acceptable to him, and at least equally preferred by him. And though many other bishops plainly discerned the mischiefs, which daily broke in to the prejudice of religion, by his defects and remissness, and prevented it in their own dioceses as much as they could, and gave all their countenance to men of other parts and other principles; and though the bishop of London, Dr. Laud, from the time of his authority and credit with the king, had applied all the remedies he could to those defections, and, from the time of his being chancellor of Oxford, had much discountenanced and almost suppressed that spirit, by encouraging

another kind of learning and practice in that university, which was indeed according to the doctrine of the church of England; yet that temper in the archbishop, whose house was a sanctuary to the most eminent of that factious party, and who licensed their most pernicious writings, left his successor a very difficult work to do, to reform and reduce a church into order, that had been so long neglected, and that was so ill inhabited by many weak, and more wilful churchmen.

It was within one week after the king's return from Scotland, that Abbot died at his house at Lambeth. And the king took very little time to consider who should be his successor, but the very next time the bishop of London (who was longer upon his way home than the king had been) came to him, his majesty entertained him very cheerfully with this compellation, *My lord's grace of Canterbury, you are very welcome;* and gave order the same day for the despatch of all the necessary forms for the translation: so that within a month or thereabouts after the death of the other archbishop, he was completely invested in that high dignity, and settled in his palace at Lambeth. This great prelate had been before in great favour with the duke of Buckingham, whose great confidant he was, and by him recommended to the king, as fittest to be trusted in the conferring all ecclesiastical preferments, when he was but bishop of St. David's, or newly preferred to Bath and Wells; and from that time he entirely governed that province without a rival: so that his promotion to Canterbury was long foreseen and expected; nor was it attended with any increase of envy or dislike.

He was a man of great parts, and very exemplary virtues, allayed and discredited by some unpopular natural infirmities; the greatest of which was, (besides a hasty, sharp way of expressing himself,) that he believed innocence of heart, and integrity of manners, was a guard strong enough to secure any man in his voyage through this world, in what company soever he travelled, and through what ways soever he was to pass: and sure never any man was better supplied with that provision. He was born of honest parents, who were well able to provide for his education in the schools of learning, from whence they sent him to St. John's college in Oxford, the worst endowed at that time of any in that famous university. From a scholar he became a fellow, and then the president of that college, after he had received all the graces and degrees (the proctorship and the doctorship) could be obtained there. He was always maligned and persecuted by those who were of the Calvinian faction, which was then very powerful, and who, according to their useful maxim and practice, call every man they do not love, papist; and under this senseless appellation they created him many troubles and vexations; and so far suppressed him, that though he was the king's chaplain, and taken notice of for an excellent preacher, and a scholar of the most sublime parts, he had not any preferment to invite him to leave his poor college, which only gave him bread, till the vigour of his age was past: and when he was promoted by king James, it was but to a poor bishopric in Wales, which was not so good a support for a bishop, as his college was for a private scholar, though a doctor.

Parliaments in that time were frequent, and grew

very busy; and the party under which he had suffered a continual persecution, appeared very powerful, and full of design, and they who had the courage to oppose them, began to be taken notice of with approbation and countenance: and under this style he came to be first cherished by the duke of Buckingham, after he had made some experiments of the temper and spirit of the other people, nothing to his satisfaction. From this time he prospered at the rate of his own wishes, and being transplanted out of his cold barren diocese of St. David's, into a warmer climate, he was left, as was said before, by that omnipotent favourite in that great trust with the king, who was sufficiently indisposed towards the persons or the principles of Mr. Calvin's disciples.

When he came into great authority, it may be, he retained too keen a memory of those who had so unjustly and uncharitably persecuted him before; and, I doubt, was so far transported with the same passions he had reason to complain of in his adversaries, that, as they accused him of popery, because he had some doctrinal opinions which they liked not, though they were nothing allied to popery; so he entertained too much prejudice to some persons, as if they were enemies to the discipline of the church, because they concurred with Calvin in some doctrinal points; when they abhorred his discipline, and reverenced the government of the church, and prayed for the peace of it with as much zeal and fervency as any in the kingdom; as they made manifest in their lives, and in their sufferings with it, and for it. He had, from his first entrance into the world, without any disguise or dissimulation, declared his own opinion of that classis of men; and, as soon as it

was in his power, he did all he could to hinder the growth and increase of that faction, and to restrain those who were inclined to it, from doing the mischief they desired to do. But his power at court could not enough qualify him to go through with that difficult reformation, whilst he had a superior in the church, who, having the reins in his hand, could slacken them according to his own humour and indiscretion; and was thought to be the more remiss, to irritate his choleric disposition. But when he had now the primacy in his own hand, the king being inspired with the same zeal, he thought he should be to blame, and have much to answer, if he did not make haste to apply remedies to those diseases, which he saw would grow apace.

In the end of September of the year 1633, he was invested in the title, power, and jurisdiction of archbishop of Canterbury, and entirely in possession of the revenue thereof, without a rival in church or state; that is, no man professed to oppose his greatness; and he had never interposed or appeared in matter of state to this time. His first care was, that the place he was removed from might be supplied with a man who would be vigilant to pull up those weeds, which the London soil was too apt to nourish, and so drew his old friend and companion Dr. Juxon as near to him as he could. They had been fellows together in one college in Oxford, and, when he was first made bishop of saint David's, he made him president of that college: when he could no longer keep the deanery of the chapel royal, he made him his successor in that near attendance upon the king: and now he was raised to be archbishop, he easily prevailed with the king to make the other, bishop

of London, before, or very soon after, he had been consecrated bishop of Hereford, if he were more than elect of that church.

It was now a time of great ease and tranquillity; the king (as hath been said before) had made himself superior to all those difficulties and straits he had to contend with the four first years he came to the crown at home; and was now reverenced by all his neighbours, who all needed his friendship, and desired to have it; the wealth of the kingdom notorious to all the world, and the general temper and humour of it little inclined to the papists, and less to the puritan. There were some late taxes and impositions introduced, which rather angered than grieved the people, who were more than repaired by the quiet, peace, and prosperity they enjoyed; and the murmur and discontent that was, appeared to be against the excess of power exercised by the crown, and supported by the judges in Westminster-hall. The church was not repined at, nor the least inclination to alter the government and discipline thereof, or to change the doctrine. Nor was there at that time any considerable number of persons of any valuable condition throughout the kingdom, who did wish either; and the cause of so prodigious a change in so few years after was too visible from the effects. The archbishop's heart was set upon the advancement of the church, in which he well knew he had the king's full concurrence, which he thought would be too powerful for any opposition; and that he should need no other assistance.

Though the nation generally, as was said before, was without any ill talent to the church, either in the point of the doctrine, or the discipline, yet they

were not without a jealousy that popery was not enough discountenanced, and were very averse from admitting any thing they had not been used to, which they called innovation, and were easily persuaded, that any thing of that kind was but to please the papists. Some doctrinal points in controversy had been, in the late years, agitated in the pulpits with more warmth and reflections, than had used to be; and thence the heat and animosity increased in books *pro* and *con* upon the same arguments: most of the popular preachers, who had not looked into the ancient learning, took Calvin's word for it, and did all they could to propagate his opinions in those points: they who had studied more, and were better versed in the antiquities of the church, the fathers, the councils, and the ecclesiastical histories, with the same heat and passion in preaching and writing defended the contrary.

But because, in the late dispute in the Dutch churches, those opinions were supported by Jacobus Arminius, the divinity professor in the university of Leyden in Holland, the latter men, we mentioned, were called Arminians; though many of them had never read a word written by Arminius. Either side defended and maintained their different opinions as the doctrine of the church of England, as the two great orders in the church of Rome, the Dominicans and Franciscans, did at the same time, and had many hundred years before, with more vehemence and uncharitableness, maintained the same opinions one against the other; either party professing to adhere to the doctrine of the catholic church, which had been ever wiser than to deter-

mine the controversy. And yet that party here, which could least support themselves with reason, were very solicitous, according to the ingenuity they always practise to advance any of their pretences, to have the people believe, that they who held with Arminius did intend to introduce popery; and truly the other side was no less willing to have it thought, that all, who adhered to Calvin in those controversies, did in their hearts likewise adhere to him with reference to the discipline, and desired to change the government of the church, destroy the bishops, and so set up the discipline that he had established at Geneva; and so both sides found such reception generally with the people, as they were inclined to the persons; whereas, in truth, none of the one side were at all inclined to popery, and very many of the other were most affectionate to the peace and prosperity of the church, and very pious and learned men.

The archbishop had, all his life, eminently opposed Calvin's doctrine in those controversies, before the name of Arminius was taken notice of, or his opinions heard of; and thereupon, for want of another name, they had called him a papist, which nobody believed him to be, and he had more manifested the contrary in his disputations and writings, than most men had done; and it may be the other found the more severe and rigorous usage from him, for their propagating that calumny against him. He was a man of great courage and resolution, and being most assured within himself, that he proposed no end in all his actions or designs, than what was pious and just, (as sure no man had ever a heart more entire to the king,

the church, or his country,) he never studied the best ways to those ends; he thought, it may be, that any art or industry that way would discredit, at least make the integrity of the end suspected, let the cause be what it will. He did court persons too little; nor cared to make his designs and purposes appear as candid as they were, by shewing them in any other dress than their own natural beauty and roughness; and did not consider enough what men said, or were like to say of him. If the faults and vices were fit to be looked into, and discovered, let the persons be who they would that were guilty of them, they were sure to find no connivance or favour from him. He intended the discipline of the church should be felt, as well as spoken of, and that it should be applied to the greatest and most splendid transgressors, as well as to the punishment of smaller offences, and meaner offenders; and thereupon called for or cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men's, or their power or will to chastise. Persons of honour and great quality, of the court, and of the country, were every day cited into the high-commission court, upon the fame of their incontinence, or other scandal in their lives, and were there prosecuted to their shame and punishment: and as the shame (which they called an insolent triumph upon their degree and quality, and levelling them with the common people) was never forgotten, but watched for revenge; so the fines imposed there were the more questioned, and repined against, because they were assigned to the rebuilding and repairing St. Paul's

church; and thought therefore to be the more severely imposed, and the less compassionately reduced and excused; which likewise made the jurisdiction and rigour of the star-chamber more felt, and murmured against, which sharpened many men's humours against the bishops, before they had any ill intention towards the church.

There were three persons most notorious for their declared malice against the government of the church by bishops, in their several books and writings, which they had published to corrupt the people, with circumstances very scandalous, and in language very scurrilous, and impudent; which all men thought deserved very exemplary punishment: they were of three several professions which had the most influence upon the people, a divine, a common lawyer, and a doctor of physic; none of them of interest, or any esteem with the worthy part of their several professions, having been formerly all looked upon under characters of reproach: yet when they were all sentenced, and for the execution of that sentence brought out to be punished as common and signal rogues, exposed upon scaffolds to have their ears cut off, and their faces and foreheads branded with hot irons, (as the poorest and most mechanic malefactors used to be, when they were not able to redeem themselves by any fine for their trespasses, or to satisfy any damages for the scandals they had raised against the good name and reputation of others,) men began no more to consider their manners, but the men; and every profession, with anger and indignation enough, thought their education, and degrees, and quality, would have secured them from such infamous judg-

ments, and treasured up wrath for the time to come.

The remissness of Abbot, and of other bishops by his example, had introduced, or at least connived at, a negligence, that gave great scandal to the church, and no doubt offended very many pious men. The people took so little care of the churches, and the parsons as little of the chancels, that, instead of beautifying or adorning them in any degree, they rarely provided for their stability and against the very falling of very many of their churches; and suffered them at least to be kept so indecently and slovenly, that they would not have endured it in the ordinary offices of their own houses; the rain and the wind to infest them, and the sacraments themselves to be administered where the people had most mind to receive them. This profane liberty and uncleanliness the archbishop resolved to reform with all expedition, requiring the other bishops to concur with him in so pious a work; and the work sure was very grateful to all men of devotion: yet, I know not how, the prosecution of it with too much affectation of expense, it may be, or with too much passion between the ministers and the parishioners, raised an evil spirit towards the church, which the enemies of it took much advantage of, as soon as they had opportunity to make the worst use of it.

The removing the communion table out of the body of the church, where it had used to stand, and used to be applied to all uses, and fixing it to one place in the upper end of the chancel, which frequently made the buying a new table to be necessary; the inclosing it with a rail of joiner's

work, and thereby fencing it from the approach of dogs, and all servile uses; the obliging all persons to come up to those rails to receive the sacrament, how acceptable soever to grave and intelligent persons, who loved order and decency, (for acceptable it was to such,) yet introduced first murmurings amongst the people, upon the very charge and expense of it; and if the minister were not a man of discretion and reputation to compose and reconcile those indispositions, (as too frequently he was not, and rather inflamed and increased the distemper,) it begat suits and appeals at law. The opinion that there was no necessity of doing any thing, and the complaint that there was too much done, brought the power and jurisdiction to impose the doing of it, to be called in question, contradicted, and opposed. Then the manner, and gesture, and posture, in the celebration of it, brought in new disputes, and administered new subjects of offence, according to the custom of the place, and humour of the people; and those disputes brought in new words and terms (altar, and adoration, and genuflexion, and other expressions) for the more perspicuous carrying on those disputations. New books were written for and against this new practice, with the same earnestness and contention for victory, as if the life of Christianity had been at stake. There was not an equal concurrence, in the prosecution of this matter, amongst the bishops themselves; some of them proceeding more remissly in it, and some not only neglecting to direct any thing to be done towards it, but restraining those who had a mind to it, from meddling in it. And this again produced as

inconvenient disputes, when the subordinate clergy would take upon them, not only without the direction of, but expressly against the diocesan's injunctions, to make those alterations and reformations themselves, and by their own authority.

The archbishop, guided purely by his zeal, and reverence for the place of God's service, and by the canons and injunctions of the church, with the custom observed in the king's chapel, and in most cathedral churches, without considering the long intermission and discontinuance in many other places, prosecuted this affair more passionately than was fit for the season; and had prejudice against those, who, out of fear or foresight, or not understanding the thing, had not the same warmth to promote it. The bishops who had been preferred by his favour, or hoped to be so, were at least as solicitous to bring it to pass in their several dioceses; and some of them with more passion and less circumspection, than they had his example for, or than he approved; prosecuting those who opposed them very fiercely, and sometimes unwarrantably, which was kept in remembrance. Whilst other bishops, not so many in number, or so valuable in weight, who had not been beholding to him, nor had hope of being so, were enough contented to give perfunctory orders for the doing it, and to see the execution of those orders not intended; and not the less pleased to find, that the prejudice of that whole transaction reflected solely upon the archbishop.

The bishop of Lincoln (Williams) who had been heretofore lord keeper of the great seal of England, and the most generally abominated whilst he

had been so, was, since his disgrace at court, and prosecution from thence, become very popular; and having faults enough to be ashamed of, the punishment whereof threatened him every day, he was very willing to change the scene, and to be brought upon the stage for opposing these innovations (as he called them) in religion. It was an unlucky word, and cozened very many honest men into apprehensions very prejudicial to the king and to the church. He published a discourse and treatise against the matter and manner of the prosecution of that matter; a book so full of good learning, and that learning so close and solidly applied, (though it abounded with too many light expressions,) that it gained him reputation enough to be able to do hurt; and shewed that, in his retirement, he had spent his time with his books very profitably. He used all the wit and all the malice he could, to awaken the people to a jealousy of these agitations and innovations in the exercise of religion; not without insinuations that it aimed at greater alterations, for which he knew the people would quickly find a name; and he was ambitious to have it believed that the archbishop was his greatest enemy, for his having constantly opposed his rising to any government in the church, as a man whose hot and hasty spirit he had long known.

Though there were other books written with good learning, and which sufficiently answered the bishop's book, and to men of equal and dispassionate inclinations fully vindicated the proceedings which had been, and were still, very fervently carried on; yet it was done by men whose names were not much reverenced by many men, and who

were taken notice of, with great insolence and asperity to undertake the defence of all things which the people generally were displeased with, and who did not affect to be much cared for by those of their own order. So that from this unhappy subject, not in itself of that important value to be either entered upon with that resolution, or to be carried on with that passion, proceeded upon the matter a schism amongst the bishops themselves, and a world of uncharitableness in the learned and moderate clergy, towards one another: which, though it could not increase the malice, added very much to the ability and power of the enemies of the church to do it hurt, and added to the number of them. For without doubt, many who loved the established government of the church, and the exercise of religion as it was used, and desired not a change in either, nor did dislike the order and decency, which they saw mended, yet they liked not any novelties, and so were liable to entertain jealousies that more was intended than was hitherto proposed; especially when those infusions proceeded from men unsuspected to have any inclinations to change, and from known assertors of the government both in church and state. They did observe the inferior clergy took more upon them than they had used to do, and did not live towards their neighbours of quality, or their patrons themselves, with that civility and condescension they had used to do; which disposed them likewise to a withdrawing their good countenance and good neighbourhood from them.

The archbishop had not been long at Canterbury, when there was another great alteration in the

court by the death of the earl of Portland, high treasurer of England; a man so jealous of the archbishop's credit with the king, that he always endeavoured to lessen it by all the arts and ways he could; which he was so far from effecting, that, as it usually falls out, when passion and malice make accusation, by suggesting many particulars which the king knew to be untrue, or believed to be no faults, he rather confirmed his majesty's judgment of him, and prejudiced his own reputation. His death caused no grief in the archbishop; who was upon it made one of the commissioners of the treasury and revenue, which he had reason to be sorry for, because it engaged him in civil business and matters of state, in which he had little experience, and which he had hitherto avoided. But being obliged to it now by his trust, he entered upon it with his natural earnestness and warmth, making it his principal care to advance and improve the king's revenue by all the ways which were offered, and so hearkened to all informations and propositions of that kind; and having not had experience of that tribe of people who deal in that traffick, (a confident, senseless, and for the most part a naughty people,) he was sometimes misled by them to think better of some projects than they deserved: but then he was so entirely devoted to what would be beneficial to the king, that all propositions and designs, which were for the profit (only or principally) of particular persons how great soever, were opposed and crossed, and very often totally suppressed and stifled in their birth, by his power and authority; which created him enemies enough in the court, and many of ability to do

mischief, who knew well how to recompense discourtesies, which they always called injuries.

And the revenue of too many of the court consisted principally in enclosures, and improvements of that nature, which he still opposed passionately, except they were founded upon law; and then, if it would bring profit to the king, how old and obsolete soever the law was, he thought he might justly advise the prosecution. And so he did a little too much countenance the commission for depopulation, which brought much charge and trouble upon the people, which was likewise cast upon his account.

He had observed, and knew it must be so, that the principal officers of the revenue, who governed the affairs of money, had always access to the king, and spent more time with him in private than any of his servants or counsellors, and had thereby frequent opportunities to do good or ill offices to many men; of which he had had experience, when the earl of Portland was treasurer, and the lord Cottington chancellor of the exchequer; neither of them being his friends; and the latter still enjoying that place, and having his former access, and so continuing a joint commissioner of the treasury with him, and understanding that province much better, he still opposed, and commonly carried every thing against him: so that he was weary of the toil and vexation of that business; as all other men were, and still are of the delays which are in all despatches, whilst that office is executed by commission.

The treasurer's is the greatest office of benefit in the kingdom, and the chief in precedence next the

archbishop's, and the great seal: so that the eyes of all men were at gaze who should have this great office; and the greatest of the nobility, who were in the chiefest employments, looked upon it as the prize of one of them; such offices commonly making way for more removes and preferments: when on a sudden the staff was put into the hands of the bishop of London, a man so unknown, that his name was scarce heard of in the kingdom, who had been within two years before but a private chaplain to the king, and the president of a poor college in Oxford. This inflamed more men than were angry before, and no doubt did not only sharpen the edge of envy and malice against the archbishop, (who was the known architect of this new fabric,) but most unjustly indisposed many towards the church itself; which they looked upon as the gulph ready to swallow all the great offices, there being others in view, of that robe, who were ambitious enough to expect the rest.

In the mean time the archbishop himself was infinitely pleased with what was done, and unhappily believed he had provided a stronger support for the church; and never abated any thing of his severity and rigour towards men of all conditions, or in the sharpness of his language and expressions, which was so natural to him, that he could not debate any thing without some commotion, when the argument was not of moment, nor bear contradiction in debate, even in the council, where all men are equally free, with that patience and temper that was necessary; of which they who wished him not well took many advantages, and would therefore contradict him, that he might be transported with some inde-

cent passion; which, upon a short recollection, he was always sorry for, and most readily and heartily would make acknowledgment. No man so willingly made unkind use of all those occasions, as the lord Cottington, who being a master of temper, and of the most profound dissimulation, knew too well how to lead him into a mistake, and then drive him into choler, and then expose him upon the matter, and the manner, to the judgment of the company; and he chose to do this most when the king was present; and then he would dine with him the next day.

The king, who was excessively affected to hunting and the sports of the field, had a great desire to make a great park for red as well as fallow deer, between Richmond and Hampton court, where he had large wastes of his own, and great parcels of wood, which made it very fit for the use he designed it to: but as some parishes had common in those wastes, so many gentlemen and farmers had good houses and good farms intermingled with those wastes of their own inheritance, or for their lives, or years; and without taking in of them into the park, it would not be of the largeness or for the use proposed. His majesty desired to purchase those lands, and was very willing to buy them upon higher terms than the people could sell them at to any body else, if they had occasion to part with them; and thought it no unreasonable thing, upon those terms, to expect from his subjects; and so he employed his own surveyor, and other of his officers, to treat with the owners, many whereof were his own tenants, whose terms would at last expire.

The major part of the people were in a short time prevailed with, but many very obstinately refused; and a gentleman, who had the best estate, with a convenient house and gardens, would by no means part with it; and the king being as earnest to compass it, it made a great noise, as if the king would take away men's estates at his own pleasure. The bishop of London, who was treasurer, and the lord Cottington, chancellor of the exchequer, were, from the first entering upon it, very averse from the design, not only for the murmur of the people, but because the purchase of the land, and the making a brick-wall about so large a parcel of ground, (for it is not less than ten or twelve miles about,) would cost a greater sum of money than they could easily provide, or than they thought ought to be sacrificed to such an occasion; and the lord Cottington (who was more solicited by the country people, and heard most of their murmurs) took the business most to heart, and endeavoured by all the ways he could, and by frequent importunities, to divert his majesty from pursuing it, and put all delays he could well do in the bargains which were to be made; till the king grew very angry with him, and told him, "he was resolved "to go through with it, and had already caused "brick to be burned, and much of the wall to be "built upon his own land;" upon which Cottington thought fit to acquiesce.

The building the wall before people consented to part with their land, or their common, looked to them as if by degrees they should be shut out from both, and increased the murmur and noise of the people who were not concerned, as well as of them

who were: and it was too near London not to be the common discourse; and the archbishop (who desired exceedingly that the king should be possessed as much of the hearts of the people as was possible, at least that they should have no just cause to complain) meeting with it, resolved to speak with the king of it; which he did, and received such an answer from him, that he thought his majesty rather not informed enough of the inconveniences and mischiefs of the thing, than positively resolved not to desist from it. Whereupon one day he took the lord Cottington aside, (being informed that he disliked it, and, according to his natural custom, spake with great warmth against it,) and told him, "he should do very well to give "the king good counsel, and to withdraw him from "a resolution, in which his honour and his justice "was so much called in question." Cottington answered him very gravely, "that the thing "designed was very lawful, and he thought the "king resolved very well, and since the place lay "so conveniently for his winter exercise, and that "he should by it not be compelled to make so long "journeys as he used to do, in that season of the "year, for his sport, and that nobody ought to "dissuade him from it."

The archbishop, instead of finding a concurrence from him, as he expected, seeing himself reproached upon the matter for his opinion, grew into much passion, telling him, "such men as he would "ruin the king, and make him lose the affections "of his subjects; that for his own part, as he had "begun, so he would go on to dissuade the king "from proceeding in so ill a counsel, and that he

" hoped it would appear who had been his coun-
" sellor." Cottington, glad to see him so soon hot, and resolved to inflame him more, very calmly replied to him, " that he thought a man could not, " with a good conscience, hinder the king from " pursuing his resolutions, and that it could not " but proceed from want of affection to his person, " and he was not sure that it might not be high " treason." The other, upon the wildness of his discourse, in great anger asked him, " Why? from " whence he had received that doctrine?" He said, with the same temper, " They, who did not wish " the king's health, could not love him; and they, " who went about to hinder his taking recreation, " which preserved his health, might be thought, " for aught he knew, guilty of the highest crimes." Upon which the archbishop in great rage, and with many reproaches, left him, and either presently, or upon the next opportunity, told the king, " that he now knew who was his great counsellor " for making his park, and that he did not wonder " that men durst not represent any arguments to " the contrary, or let his majesty know how much " he suffered in it, when such principles in divinity " and law were laid down to terrify them;" and so recounted to him the conference he had with the lord Cottington, bitterly inveighing against him and his doctrine, mentioning him with all the sharp reproaches imaginable, and beseeching his majesty, " that his counsel might not prevail with him," taking some pains to make his conclusions appear very false and ridiculous.

The king said no more, but, " My lord, you are " deceived; Cottington is too hard for you: upon

" my word, he hath not only dissuaded me more, " and given more reasons against this business, " than all the men in England have done, but hath " really obstructed the work by not doing his duty, " as I commanded him, for which I have been very " much displeased with him: you see how unjustly " your passion hath transported you." By which reprehension he found how much he had been abused, and resented it accordingly.

Whatsoever was the cause of it, this excellent man, who stood not upon the advantage ground before, from the time of his promotion to the archbishopric, or rather from that of his being commissioner of the treasury, exceedingly provoked, or underwent the envy, and reproach, and malice of men of all qualities and conditions; who agreed in nothing else: all which, though well enough known to him, were not enough considered by him, who believed, the government to be so firmly settled, that it could neither be shaken from within nor without, as most men did, and that less than a general confusion of law and gospel could not hurt him; which was true too: but he did not foresee how easily that confusion might be brought to pass, as it proved shortly to be. And with this general observation of the outward visible prosperity, and the inward reserved disposition of the people to murmur and unquietness, we conclude this first book.

THE END OF THE FIRST BOOK.

THE

HISTORY

OF THE

REBELLION, &c.

BOOK II.

IT was towards the end of the year 1633, when the king returned from Scotland, having left it to the care of some of the bishops there to provide such a liturgy, and such a book of canons, as might best suit the nature and humour of the better sort of that people; to which the rest would easily submit: and that, as fast as they made them ready, they should transmit them to the archbishop of Canterbury, to whose assistance the king joined the bishop of London, and doctor Wren, who, by that time, was become bishop of Norwich; a man of a severe, sour nature, but very learned, and particularly versed in the old liturgies of the Greek and Latin churches. And after his majesty should be this way certified of what was so sent, he would recommend and enjoin the practice and use of both to that his native kingdom. The bishops there had somewhat to do, before they went about the preparing the canons and the liturgy; what had passed at the king's being there in parliament had left

bitter inclinations and unruly spirits in many of the most popular nobility; who watched only for an opportunity to inflame the people, and were well enough contented to see combustible matter every day gathered together to contribute to that fire.

The promoting so many bishops to be of the privy-council, and to sit in the courts of justice, seemed at first wonderfully to facilitate all that was in design, and to create an affection and reverence towards the church, at least an application to and dependence upon the greatest churchmen. So that there seemed to be not only a good preparation made with the people, but a general expectation, and even a desire that they might have a liturgy, and more decency observed in the church. And this temper was believed to be the more universal, because neither from any of the nobility, nor of the clergy, who were thought most averse from it, there appeared any sign of contradiction, nor that license of language against it, as was natural to that nation; but an entire acquiescence in all the bishops thought fit to do; which was interpreted to proceed from a conversion in their judgment, at least to a submission to the authority: whereas in truth, it appeared afterwards to be from the observation they made from the temper and indiscretion of those bishops in the greatest authority, that they were like to have more advantages administered to them by their ill managery, than they could raise by any contrivance of their own.

It was full two years, or very near so much, before the bishops in Scotland had prepared any thing to offer to the king towards their intended reformation; and then they inverted the proper method,

and first presented a body of canons to precede the liturgy, which was not yet ready, they choosing to finish the shorter work first. The king referred the consideration of the canons, as he had before resolved to do, to the archbishop, and the other two bishops formerly named, the bishop of London, and the bishop of Norwich; who, after their perusal of them, and some alterations made with the consent of those bishops who brought them from Scotland, returned them to the king; and his majesty, impatient to see the good work entered upon without any other ceremony, (after having given his royal approbation,) issued out his proclamation for the due observation of them within his kingdom of Scotland.

It was a fatal inadvertency, that neither before nor after these canons were sent to the king they were never seen by the assembly, or any convocation of the clergy, which was so strictly obliged to the observation of them; nor so much as communicated to the lords of the council of that kingdom; it being almost impossible that any new discipline could be introduced into the church, which would not much concern the government of the state, and even trench upon or refer to the municipal laws of the kingdom. And, in this consideration, the archbishop of Canterbury had always declared to the bishops of Scotland, "that it was their part to "be sure, that nothing they should propose to the "king in the business of the church, should be "contrary to the laws of the land, which he could "not be thought to understand; and that they "should never put any thing in execution, without "the consent and approbation of the privy council."

But it was the unhappy craft of those bishops to get it believed by the king, that the work would be grateful to the most considerable of the nobility, the clergy, and the people, (which they could hardly believe,) in order to the obtaining his majesty's approbation and authority for the execution of that, which they did really believe would not find opposition from the nobility, clergy, or people, against his majesty's express power and will, which without doubt was then in great veneration in that kingdom; and so they did not in truth dare to submit those canons to any other examination, than what the king should direct in England.

It was, in the next place, as strange, that those canons should be published before the liturgy was prepared, (which was not ready in a year after, or thereabouts,) when three or four of the canons were principally for the observation and punctual compliance with the liturgy; which all the clergy were to be sworn to submit to, and to pay all obedience to what was enjoined by it, before they knew what it contained. Whereas, if the liturgy had been first published with all due circumstances, it is possible that it might have found a better reception, and the canons less examined.

The Scotch nation, how capable soever it was of being led by some great men, and misled by the clergy, would have been corrupted by neither into a barefaced rebellion against their king, whose person they loved, and reverenced his government; nor could they have been wrought upon towards the lessening the one, or the other, by any other suggestions or infusions, than such as should make

them jealous or apprehensive of a design to introduce popery; their whole religion consisting in an entire detestation of popery, in believing the pope to be Antichrist, and hating perfectly the persons of all papists; and I doubt all others, who did not hate them.

The canons now published, besides (as hath been touched before) that they had passed no approbation of the clergy, or been communicated to the council, appeared to be so many new laws imposed upon the whole kingdom by the king's sole authority, and contrived by a few private men, of whom they had no good opinion, and who were strangers to the nation; so that it was no other than a subjection to England, by receiving laws from thence, of which they were most jealous, and which they most passionately abhorred. Then they were so far from being confined to the church, and the matters of religion, that they believed there was no part of their civil government uninvaded by them, and no persons of what quality soever unconcerned, and, as they thought, unhurt in them. And there were some things in some particular canons, how rational soever in themselves, and how distant soever in the words and expressions from inclining to popery, which yet gave too much advantage to those who maliciously watched the occasion to persuade weak men, that it was an approach and introduction to that religion, the very imagination whereof intoxicated all men, and deprived them of all faculties to examine and judge.

The first canon defined and determined such an unlimited "power and prerogative to be in the "king, according to the pattern" (in express terms)

" of the kings of Israel, and such a full supremacy " in all causes ecclesiastical, as hath never been " pretended to by their former kings, or submitted " to by the clergy and laity of that nation;" and which made impression upon men of all tempers, humours, and inclinations. " That no ecclesias- " tical person should become surety, or bound for " any man; that national or general assemblies " should be called only by the king's authority; " that all bishops, and other ecclesiastical persons, " who die without children, should be obliged to " give a good part of their estates to the church, " and, though they should have children, yet to " leave somewhat to the church, and for advance- " ment of learning;" which seemed rather to be matter of state, and policy, than of religion; thwarted their laws and customs, which had been observed by them; lessened, if not took away the credit of church-men; and prohibited them from that liberty of commerce in civil affairs, which the laws permitted to them; and reflected upon the interests of those who had, or might have, a right to inherit from clergymen. " That none should receive the sacrament but upon " their knees; that the clergy should have no " private meetings for expounding scripture, or for " consulting upon matters ecclesiastical; that no " man should cover his head in the time of divine " service; and that no clergyman should conceive " prayers *ex tempore*, but be bound to pray only by " the form prescribed in the liturgy," (which, by the way, was not seen nor framed,) " and that no " man should teach a public school, or in a private " house, without a license first obtained from the arch- " bishop of the province, or the bishop of the diocese."

All these were new, and things with which they had not been acquainted; and though they were all to be commended to a regular and orderly people, piously disposed, yet it was too strong meat for infants in discipline, and too much nourishment to be administered at once to weak and queasy stomachs, too much inclined to nauseate what was most wholesome. But then, to apply the old terms of the church, to mention "the *quatuor tempora*, "and restrain all ordinations to those four seasons "of the year; to enjoin a font to be prepared in "every church for baptism, and a decent table for "the communion; and to direct and appoint the "places where both font and table should stand, "and decent ornaments for either; to restrain any "excommunication from being pronounced, or ab-"solution from being given, without the approba-"tion of the bishop; to mention any practice of "confession," (which they looked upon as the strongest and most inseparable limb of Antichrist,) and to enjoin, "that no presbyter should reveal "any thing he should receive in confession, except "in such cases, where, by the law of the land, "his own life should be forfeited;" were all such matters of innovation, and in their nature so suspicious, that they thought they had reason to be jealous of the worst that could follow; and the last canon of all provided, "that no person should be "received in holy orders, or suffered to preach or "administer the sacraments, without first sub-"scribing to these canons."

It was now easy for them who had those inclinations, to suggest to men of all conditions, that here was an entire new model of government in

church and state; the king might do what he would upon them all, and the church was nothing but what the bishops would have it be: which they every day infused into the minds of the people, with all the art and artifices which administer jealousies of all kinds to those who were liable to be disquieted with them: yet they would not suffer (which shewed wonderful power and wonderful dexterity) any disorder to break out upon all this occasion, but all was quiet, except spreading of libels against the bishops, and propagating that spirit as much as they could, by their correspondence in England; where they found too many every day transported by the same infusions, in expectation that these seeds of jealousy from the canons would grow apace, and produce a proper reception for the liturgy.

It was about the month of July, in the year 1637, that the liturgy (after it had been sent out of Scotland, and perused by the three bishops in England, and then approved and confirmed by the king) was published, and appointed to be read in all the churches. And in this particular there was the same affected and premeditated omission, as had been in the preparation and publication of the canons; the clergy not at all consulted in it, and, which was more strange, not all the bishops acquainted with it; which was less censured afterwards, when some of them renounced their function, and became ordinary presbyters, as soon as they saw the current of the time. The privy-council had no other notice of it, than all the kingdom had, the Sunday before, when it was declared, "that the next Sunday the liturgy should

" be read;" by which they were the less concerned to foresee or prevent any obstructions which might happen.

The proclamation had appointed it to be read the Easter before; but the earl of Traquaire, high treasurer of Scotland, (who was the only counsellor or layman relied upon by the archbishop of Canterbury in that business,) persuaded the king to defer it till July, that some good preparation might be made for the more cheerful reception of it. And as this pause gave the discontented party more heart, and more time for their seditious negociations, so the ill consequences of it, or the actions which were subsequent to it, made him suspected to be privy to all the conspiracy, and in truth to be an enemy to the church; though, in truth, there neither appeared then, nor in all the very unfortunate part of his life afterwards, any just ground for that accusation and suspicion: but as he was exceedingly obliged to the archbishop, so he was a man of great parts, and well affected to the work in hand in his own judgment; and if he had been as much depended upon, to have advised the bishops in the prosecution and for the conduct of it, as he was to assist them in the carrying on whatsoever they proposed, it is very probable, that either so much would not have been undertaken together, or that it would have succeeded better; for he was without doubt not inferior to any of that nation in wisdom and dexterity. And though he was often provoked, by the insolence and petulance of some of the bishops, to a dislike of their overmuch fervour, and too little discretion, his integrity to the king was without blemish, and his affection

to the church so notorious, that he never deserted it, till both it and he were overrun, and trod under foot; and they who were the most notorious persecutors of it never left persecuting him to the death.

Nor was any thing done which he had proposed, for the better adjusting things in that time of that suspension, but every thing left in the same state of unconcernedness as it had been before; not so much as the council being better informed of it; as if they had been sure that all men would have submitted to it for conscience sake.

On the Sunday morning appointed for the work, the chancellor of Scotland and others of the council being present in the cathedral church, the dean began to read the liturgy, which he had no sooner entered upon, but a noise and clamour was raised throughout the church, that no voice could be heard distinctly, and then a shower of stones, and sticks, and cudgels were thrown at the dean's head. The bishop went up into the pulpit, and from thence put them in mind of the sacredness of the place, of their duty to God and the king: but he found no more reverence, nor was the clamour or disorder less than before. The chancellor, from his seat, commanded the provost and magistrates of the city to descend from the gallery in which they sat, and by their authority to suppress the riot; which at last with great difficulty they did, by driving the rudest of those who made the disturbance out of the church, and shutting the doors, which gave the dean occasion to proceed in the reading of the liturgy, which was not at all attended or hearkened to by those who remained within the church; and

if it had, they who were turned out continued their barbarous noise, broke the windows, and endeavoured to break down the doors; so that it was not possible for any to follow their devotions.

When all was done that at that time could be done there, and the council and magistrates went out of the church to their houses, the rabble followed the bishops with all the opprobrious language they could invent, of bringing in superstition and popery into the kingdom, and making the people slaves; and were not content to use their tongues, but employed their hands too in throwing dirt and stones at them; and treated the bishop of Edinburgh, whom they looked upon as most active that day, so rudely, that with difficulty he got into a house, after they had torn his habit, and was from thence removed to his own, with great hazard of his life. As this was the reception it had in the cathedral, so it fared not better in the other churches of the city, but was entertained with the same hollowing and outcries, and threatening the men, whose office it was to read it, with the same bitter execrations against bishops and popery.

Hitherto no person of condition or name appeared, or seemed to countenance this seditious confusion; it was the rabble, of which nobody was named, and, which is more strange, not one apprehended: and it seems the bishops thought it not of moment enough to desire or require any help or protection from the council; but without conferring with them, or applying themselves to them, they despatched away an express to the king, with a full and particular information of all that had passed, and a desire that he would take that

course he thought best for the carrying on his service.

Until this advertisement arrived from Scotland, there were very few in England who had heard of any disorders there, or of any thing done there, which might produce any. The king himself had been always so jealous of the privileges of that his native kingdom, (as hath been touched before,) and that it might not be dishonoured by a suspicion of having any dependence upon England, that he never suffered any thing relating to that to be debated, or so much as communicated to his privy-council in this, (though many of that nation were, without distinction, counsellors of England,) but handled all those affairs himself with two or three Scotsmen, who always attended in the court for the business of that kingdom, which was upon the matter still despatched by the sole advice and direction of the marquis of Hamilton.

And the truth is, there was so little curiosity either in the court, or the country, to know any thing of Scotland, or what was done there, that when the whole nation was solicitous to know what passed weekly in Germany and Poland, and all other parts of Europe, no man ever inquired what was doing in Scotland, nor had that kingdom a place or mention in one page of any gazette, so little the world heard or thought of that people; and even after the advertisement of this preamble to rebellion, no mention was made of it at the council-board, but such a despatch made into Scotland upon it, as expressed the king's dislike and displeasure, and obliged the lords of the council there to appear more vigorously in the vindication

of his authority, and suppression of those tumults. But all was too little. That people, after they had once begun, pursued the business vigorously, and with all imaginable contempt of the government; and though in the hubbub of the first day there appeared nobody of name or reckoning, but the actors were really of the dregs of the people; yet they discovered by the countenance of that day, that few men of rank were forward to engage themselves in the quarrel on the behalf of the bishops; whereupon more considerable persons every day appeared against them, and (as heretofore in the case of St. Paul, Acts xiii. 50, *the Jews stirred up the devout and honourable women*) the women and ladies of the best quality declared themselves of the party, and, with all the reproaches imaginable, made war upon the bishops, as introducers of popery and superstition, against which they avowed themselves to be irreconcilable enemies: and their husbands did not long defer the owning the same spirit; insomuch as within few days the bishops durst not appear in the streets, nor in any courts or houses, but were in danger of their lives; and such of the lords as durst be in their company, or seemed to desire to rescue them from violence, had their coaches torn in pieces, and their persons assaulted, insomuch as they were glad to send for some of those great men, who did indeed govern the rabble, though they appeared not in it, who readily came and redeemed them out of their hands: so that by the time new orders came from England, there was scarce a bishop left in Edinburgh, and not a minister who durst read the liturgy in any church.

All the kingdom flocked to Edinburgh, as in a general cause that concerned their salvation, and resolved themselves into a method of government, erected several tables, in which deputies sat for the nobility, the gentlemen, the clergy, and the burgesses; out of either of which tables a council was elected to conduct their affairs, and a petition drawn up in the names of the nobility, lairds, clergy, and burgesses, to the king, complaining of the introduction of popery, and many other grievances. And if the lords of the council issued out any order against them, or if the king himself sent a proclamation for their repair to their houses, and for the preservation of the peace, presently some nobleman deputed by the tables published a protestation against those orders and proclamations, with the same confidence, and with as much formality, as if the government were regularly in their hands.

They called a general assembly, whither they summoned the bishops to appear before them, and for not appearing, excommunicated them; and then they united themselves by subscribing a covenant, which they pretended, with their usual confidence, to be no other than had been subscribed in the reign of king James, and that his majesty himself had subscribed it; by which imposition people of all degrees, supposing it might be a means to extinguish the present fire, with all alacrity engaged themselves in it; whereas in truth, they had inserted a clause never heard of, and quite contrary to the end of that covenant, whereby they obliged themselves to pursue the extirpation of bishops, and had the impudence to demand the same in express terms of

the king, in answer to a very gracious message the king had sent to them. They published bitter invectives against the bishops and the whole government of the church, which they were not contented to send only into England to kindle the same fire there, but, with their letters, sent them to all the reformed churches, by which they raised so great a prejudice to the king, that too many of them believed, that the king had a real design to change religion, and to introduce popery.

It is very true, there were very many of the nobility, and persons of principal quality of that nation, and in Edinburgh at that time, who did not appear yet, and concur in this seditious behaviour, or own their being yet of their party; but on the contrary seemed very much to dislike their proceedings: but it is as true, that very few had the courage to do any thing in opposition to them, or to concur in the prosecution of any regal act against them; and did in some respects more advance their designs, than if they had manifestly joined with them. For these men, many of whom were of the council, by all their letters into England, exceedingly undervalued the disorder, as being "very easy to "be suppressed in a short time, when the people's "eyes should be opened; and that the removing "the courts to some other place, and a gracious "condescension in the king in offering pardon for "what was past, would suddenly subdue them, and "every body would return to his duty:" and the city of Edinburgh itself writ an humble letter to the archbishop of Canterbury, excusing the disorders which had been raised by the ignorance and rudeness of the meanest of the people, besought him

" to intercede with his majesty for the suspension " of his prejudice to them, till they should manifest " their duty to him, by inflicting exemplary punish- " ment upon the chief offenders, and causing the " liturgy to be received and submitted to in all their " churches;" which they professed they would in a short time bring to pass. So that by this means, and the interposition of all those of that nation who attended upon his majesty in his bedchamber, and in several offices at court, who all undertook to know by their intelligences that all was quiet, or would speedily be so; his majesty (who well knew that they who appeared most active in this confederacy were much inferior to those who did not appear, and who professed great zeal for his service) hardly prevailed with himself to believe that he could receive any disturbance from thence, till he found all his condescensions had raised their insolence, all his offers rejected, and his proclamation of pardon slighted and contemned; and that they were listing men towards the raising an army, under the obligation of their covenant, and had already chosen colonel Lesley, a soldier of that nation of long experience and eminent command under the king of Sweden in Germany, to be their general; who being lately disobliged (as they called it) by the king, that is, denied somewhat he had a mind to have, which to that people was always the highest injury, had accepted of the command. Then at last the king thought it time to resort to other counsels, and to provide force to chastise them, who had so much despised all the gentler remedies.

He could now no longer defer the acquainting his council-board, and the whole kingdom of Eng-

land, with the indignities he had sustained in Scotland; which he did by proclamations and declarations at large, setting out the whole proceedings which had been; and in the end of the year 1638 declared his resolution to raise an army to suppress their rebellion, for which he gave present order.

And this was the first alarm England received towards any trouble, after it had enjoyed for so many years the most uninterrupted prosperity, in a full and plentiful peace, that any nation could be blessed with: and as there was no apprehension of trouble from within, so it was secured from without by a stronger fleet at sea than the nation had ever been acquainted with, which drew reverence from all the neighbour princes. The revenue had been so well improved, and so warily managed, that there was money in the exchequer proportionable for the undertaking any noble enterprise: nor did this first noise of war and approach towards action seem to make any impression upon the minds of men, the Scots being in no degree either loved or feared by the people; and most men hoped, that this would free the court from being henceforth troubled with those vermin; and so seemed to embrace the occasion with notable alacrity: and there is no doubt, but if that whole nation had been entirely united in the rebellion, and all who stayed in the court had marched in their army, and publicly owned the covenant, which in their hearts they adored, neither king nor kingdom could have sustained any damage by them; but the monument of their presumption and their shame would have been raised together, and no other memory preserved of their rebellion but in their memorable and infamous defeat.

God Almighty would not suffer this discerning spirit of wisdom to govern at this time: the king thought it unjust to condemn a nation for the transgression of a part of it, and still hoped to redeem it from the infamy of a general defection, by the exemplary fidelity of a superior party, and therefore withdrew not his confidence from any of those who attended his person, and who, in truth, lay leiger for the covenant, and kept up the spirits of their countrymen by their intelligence.

The king hastened the raising an army, which was not long in doing. He chose to make the earl of Arundel his general, a man who had nothing martial about him but his presence and his looks, and therefore was thought to be made choice of for his negative qualities: he did not love the Scots; he did not love the puritans; which good qualifications were allayed by another negative, he did love nobody else: but he was fit to keep the state of it; and his rank was such, that no man would decline the serving under him.

The earl of Essex was made lieutenant-general of the army, the most popular man of the kingdom, and the darling of the sword-men; who, between a hatred and a contempt of the Scots, had nothing like an affection for any one man of the nation; and therefore was so well pleased with his promotion, that he begun to love the king the better for conferring it upon him, and entered upon the province with great fidelity and alacrity, and was capable from that hour of any impression the king would have fixed upon him.

The earl of Holland was general of the horse; who, besides the obligations he had to the queen, (who vouchsafed to own a particular trust in him,)

was not liable to the least suspicion of want of affection and zeal for the king's service.

In the beginning of the spring, which was in the year 1639, an army was drawn together of near six thousand horse, and about that number in foot, all very well disciplined men, under as good and experienced officers, as were to be found in any army in Christendom. And with this army, abundantly supplied with a train of artillery, and all other provisions necessary, the king advanced in the beginning of the summer towards the borders of Scotland.

This was not all the strength that was provided for the suppressing that rebellion, but the king had likewise provided a good fleet for the sea, and had caused a body of three thousand foot to be embarked on those ships; all which were put under the command of the marquis of Hamilton, who was to infest his country by sea to hinder their trade, and to make a descent upon the land, and join with such forces as the loyal party of that nation should draw together to assist the king's, which his own interest (as was believed) would give great life to, his family being numerous in the nobility, and united in an entire dependence upon him.

Upon the first march of the army northwards, the earl of Essex was sent with a party of horse and foot, to use all possible expedition to possess himself of Berwick, which the king had been advertised the Scots would speedily be masters of. The earl lost no time, but marched day and night with great order and diligence; and every day met several Scotsmen of quality well known to him, and sent expressly to the king, all who severally made

him very particular relations of the strength of the Scots army, the excellent discipline that was observed in it, the goodness of the men, and that they were by that time possessed of Berwick; and when he was within one day's march of it, a person of principal condition, of very near relation to the king's service, (who pretended to be sent upon matter of high importance to his majesty from those who most intended his service there,) met him, and advised him very earnestly "not to advance farther "with his party, which was so much inferior in "number to those of the enemy, that it would in- "fallibly be cut off: that himself overtook the day "before a strong party of the army, consisting of "three thousand horse and foot, with a train of "artillery, all which he left at such a place," (which he named,) "within three hours' march of Berwick, "where they resolved to be the night before, so "that his proceeding farther must be fruitless, and "expose him to inevitable ruin." These advertisements wrought no otherwise upon the earl, than to hasten his marches, insomuch that he came to Berwick sooner than he proposed to have done, entered the place without the least opposition, and by all the inquiry he could make by sending out parties, and other advertisements, he could not discover that any of the enemies' forces had been drawn that way, nor indeed that they had any considerable forces together nearer than Edinburgh.

The earl being thus possessed of his post, lost no time in advertising the king of it, and sent him a very particular account of the informations he had received from so many ear and eye witnesses, who were all at that time in the court, and very fit to be

suspected after the publishing of so many falsehoods; and the men had been constant in the same reports, and as confident in reporting the defeat of the earl of Essex, and cutting off his party, as they had been to himself of the Scots' march, and their being masters of Berwick. The joy was not concealed with which his majesty received the news of the earl's being in Berwick, the contrary whereof these men made him apprehend with much perplexity; but they underwent no other reproach for their intelligence, than that their fears had multiplied their sight, and that they had been frighted with other men's relations; which remissness, to call it no worse, was an ill omen of the discipline that was like to be observed.

If the war had been now vigorously pursued, it had been as soon ended as begun; for at this time they had not drawn three thousand men together in the whole kingdom of Scotland, nor had in truth arms complete for such a number, though they had the possession of all the king's forts and magazines, nor had they ammunition to supply their few fire-arms; horses they had, and officers they had, which made all their show. But it was the fatal misfortune of the king, which proceeded from the excellency of his nature, and his tenderness of blood, that he deferred so long his resolution of using his arms; and after he had taken that resolution, that it was not prosecuted with more vigour.

He more intended the pomp of his preparations than the strength of them, and did still believe, that the one would save the labour of the other. At the same time that he resolved to raise an army, he caused inquiry to be made, what obligations lay

upon his subjects to assist him, both as he went himself in person, and as it was an expedition against the Scots; which, in the ancient enmity between the two nations, had been provided for by some laws, and in the tenure which many men held their estates by. He found that the kings had usually, when they went to make war in their own persons, called as many of the nobility to attend upon them, as they thought fit.

And thereupon he summoned most of the nobility of the kingdom, without any consideration of their affections how they stood disposed to that service, to attend upon him by a day appointed, and throughout that expedition; presuming, that the glory of such a visible appearance of the whole nobility would look like such an union in the quarrel, as would at once terrify and reduce the Scots; not considering, that such kind of unitings do naturally produce the greatest confusions, when more and greater men are called together than can be united in affections or interests; and in the necessary differences which arise from thence, they quickly come to know each other so well, as they easily unite in several divisions, though never in any one public interest; and from hence the most dangerous factions have always arose, which have threatened and ruined the peace of nations: and it fell out no better here. If there had been none in the march but soldiers, it is most probable that a noble peace would have quickly ensued, even without fighting: but the progress was more illustrious than the march, and the soldiers were the least part of the army, and least consulted with.

In this pomp the king continued his journey to

York, where he had a full court, those noblemen of the northern parts, and many others who overtook not the king till then, joining all in that city; where his majesty found it necessary to stay some days; and there the fruit, that was to be gathered from such a conflux, quickly budded out. Some rules were to be set down for the government of the army; and the court was too numerous to be wholly left to its own license; and the multitude of the Scots in it administered matter of offence and jealousy to people of all conditions, who had too much cause to fear that the king was every day betrayed; the common discourse by all the Scots being either magnifying the good intentions of their countrymen, and that they had all duty for the king, or undervaluing the power and interest of those who discovered themselves against the church.

It was therefore thought fit by the whole body of the council, that a short protestation should be drawn, in which all men should "profess their loyalty "and obedience to his majesty, and disclaim and "renounce the having any intelligence, or holding "any correspondence with the rebels." No man imagined it possible that any of the English would refuse to make that protestation; and they who thought worst of the Scots did not think they would make any scruple of doing the same, and consequently that there would be no fruit or discovery from that test; but they were deceived. The Scots indeed took it to a man, without grieving their conscience, or reforming their manners. But amongst the English nobility the lord Say, and the lord Brook, (two popular men, and most undevoted to the church, and, in truth, to the whole government,)

positively refused, in the king's own presence, to make any such protestation. They said, "If the "king suspected their loyalty, he might proceed "against them as he thought fit; but that it was "against the law to impose any oath or protestation "upon them which were not enjoined by the law; "and, in that respect, that they might not betray "the common liberty, they would not submit to it." This administered matter of new dispute in a very unseasonable time; and though there did not then appear more of the same mind, and they two were committed, at least restrained of their liberty; yet this discovered too much the humour and spirit of the court in their daily discourses upon that subject; so that the king thought it best to dismiss those two lords, and require them to return to their houses: and if all the rest who were not officers of the army, or of absolute necessity about the king's person, had been likewise dismissed and sent home, the business had been better prosecuted.

Indeed, if the king himself had stayed at London, or, which had been the next best, kept his court and resided at York, and sent the army on their proper errand, and left the matter of the war wholly to them, in all human reason, his enemies had been speedily subdued, and that kingdom reduced to their obedience, which it would not have been easy for them to have shaken off.

Before the king left York, letters and addresses were sent from the Scots, "lamenting their ill for-"tune, that their enemies had so great credit with "the king, as to persuade him to believe, that they "were or could be disobedient to him, a thing that "could never enter into their loyal hearts; that

" they desired nothing but to be admitted into the " presence of their gracious sovereign, to lay their " grievances at his royal feet, and leave the deter- " mination of them entirely to his own wisdom and " pleasure." And though the humility of the style gained them many friends, who thought it great pity that any blood should be spilt in a contention which his majesty might put an end to by his own word, as soon as he would hear their complaints; yet hitherto the king preserved himself from being wrought upon, and marched with convenient expedition to the very borders of Scotland, and encamped with his army in an open field, called *the Berkes*, on the further side of Berwick, and lodged in his tent with the army, though every day's march wrought very much upon the constitution if not the courage of the court, and too many wished aloud, " that the business were brought to a fair treaty."

Upon advertisement that a party of the Scots army was upon their march, the earl of Holland was sent with a body of three thousand horse, and two thousand foot, with a fit train of artillery, to meet it, and engage with it; who marched accordingly into Scotland early in a morning as far as a place called Dunce, ten or twelve miles into that kingdom. It was in the beginning of August, when the nights are very short, and, as soon as the sun rises, the days for the most part hotter than is reasonably expected from the climate, and by the testimony of all men that day was the hottest that had been known. When the earl came with his horse to Dunce, he found the Scots drawn up on the side of a hill, where the front could only be in view, and where, he was informed, the general Lesley

and the whole army was; and it was very true, they were all there indeed; but it was as true, that all did not exceed the number of three thousand men, very ill armed, and most country fellows, who were on the sudden got together to make that show: and Lesley had placed them by the advantage of that hill so speciously, that they had the appearance of a good body of men, there being all the semblance of great bodies behind on the other side of the hill; the falsehood of which would have been manifest as soon as they should move from the place where they were, and from whence they were therefore not to stir.

The horse had outmarched the foot, which, by reason of the excessive heat, was not able to use great expedition: besides, there was some error in the orders, and some accidents of the night that had retarded them; so that when the enemy appeared first in view, the foot and the artillery was three or four miles behind.

Nothing can be said in the excuse of the counsel of that day, which might have made the king a glorious king indeed. The earl of Holland was a man of courage, and at that time not at all suspected to be corrupted in his affections; and though himself had not seen more of the war than two or three campaigns in Holland before his coming to the court, he had with him many as good officers as the war of that age, which was very active, had made, and men of unquestionable courage and military knowledge. As he might very safely have made a halt at Dunce, till his foot and artillery came up to him, so he might securely enough have engaged his body of horse against their whole

pitiful army, there being neither tree nor bush to interrupt his charge; but it was thought otherwise; and no question it was generally believed, by the placing and drawing out their front in so conspicuous a place, by the appearance of other troops behind them, and by the shewing great herds of cattle at a distance upon the hills on either side, that their army was very much superior in number. And therefore, as soon as the earl came in view, he despatched messengers one after another to the king, with an account of what he heard and saw, or believed he saw, and yet thought not fit to stay for an answer; but with the joint consent of all his superior officers (for it was never after pretended that any one officer of name dissuaded it, though they were still ashamed of it) retired towards his foot, to whom he had likewise sent orders not to advance; and so wearied and tired by the length of the march, and more by the heat of the weather, which was intolerable, they returned to the camp where the king was; and the Scots drew a little back to a more convenient post for their residence.

The covenanters, who very well understood the weakness of the court, as well as their own want of strength, were very reasonably exalted with this success, and scattered their letters abroad amongst the noblemen at court, according to the humours of the men to whom they writ; there being upon the matter an unrestrained intercourse between the king's camp and Edinburgh.

They writ three several letters to the three generals, the earl of Arundel, the earl of Essex, and the earl of Holland. That to the earl of Essex was in

a dialect more submiss than to the others; they said much to him of "his own fame and reputa-" tion, which added to their affliction that he should " be in arms against them; that they had not the " least imagination of entering into a war against " England; their only thought and hope was to " defend their own rights and liberties, which were " due to them by the laws of the land, until they " might have access to his majesty, to expose their " complaints to him, from which they were hindered " by the power and greatness of some of their own " countrymen;" being desirous the earl should understand that their principal grievance was the interest of the marquis of Hamilton, who, they knew, was not in any degree acceptable to the earl; and therefore desired him "to be ready to do " them good offices to the king, that they might " be admitted to his presence." The earl of Essex, who was a punctual man in point of honour, received this address superciliously enough, sent it to the king without returning any answer, or holding any conference, or performing the least ceremony, with or towards the messengers.

The earls of Arundel and Holland gave another kind of reception to the letters they received. To the former, after many professions of high esteem of his person, they enlarged upon "their great " affection to the English nation, and how they " abhorred the thought of a war between the two " nations;" they besought him "to present their " supplication" (which they enclosed) "to the king, " and to procure their deputies admission to his " majesty." The earl used them with more respect than was suitable to the office of a general, and

made many professions of " his desire to interpose, " and mediate a good peace between the nations:" and it was confidently reported and believed, that he had frequently made those professions by several messages he had sent before into Scotland; and he had given passes to many obscure persons, to go into and return out of that kingdom.

Their letter to the earl of Holland was in a more confident style, as to a man from whom they expected all good offices. They sent him likewise a copy of their supplication to the king, and desired him " to use his credit that a treaty might be " entered into, and that his majesty would appoint " men of religion and of public hearts to manage " the treaty." And from this time that earl was found at least enough inclined to that interest; and the king's readiness to hear discourses of a pacification, and that messengers would be shortly sent to him with propositions worthy of his acceptation, abated those animosities, and appetite to war, which had made all the noise in the march.

Indeed the marquis of Hamilton's neighbourly residence with his fleet and foot soldiers before Leith, without any show of hostility, or any care taken to draw his friends and followers together for the king's service; on the other side, the visits his mother made him on board his ship, who was a lady of great authority amongst the covenanters, and most addicted to it and them, her daughters being likewise married to those noblemen who most furiously persecuted the church, and presided in those councils; the king's refusing to give leave to some officers of horse, who had offered to make inroads into the country, and destroy the stock

thereof, whereby they would be presently obliged to make submission, and to ask pardon; and lastly, the reception of the earl of Holland after his shameful retreat, with so much satisfaction and joy as his majesty had manifested upon his return, (having after the first messenger's arrival from Dunce, when the enemy was in view, sent him orders not to engage,) made it then suspected, as it was afterwards believed by those who stood nearest, that his majesty had in truth never any purpose to make the war in blood, but believed that by shewing an army to them, that was able to force them to any conditions, they would have begged pardon for the contests they had made, and so he should have settled the church, and all things else, according to his pleasure: and sure he might have done so, if he had but sat still, and been constant to his own honour, and positive in denying their insolent demands. But the Scots in the court had made impression upon so many of the English lords, that though at that time there were very few of them who had entered into an unlawful combination against the king, yet there was almost a general dislike of the war, both by the lords of the court and of the country; and they took this opportunity to communicate their murmurs to each other; none of the persons who were most maligned for their power and interest with the king being upon the place; and all men believing, that nothing could be asked of the king, but what must be satisfied at their charge, whose damage they considered, though it was to be procured at the expense of the king's honour. 'When the covenanters understood by their intelligence, that the season was ripe, they

sent their supplication (of which they had scattered so many copies) to the king, and found themselves so welcome to all persons, that their modesty was not like to suffer any violence in offering the conditions.

The Scots had from the beginning practised a new sturdy style of address, in which, under the license of accusing the counsel and carriage of others, whom yet they never named, they bitterly and insolently reproached the most immediate actions and directions of his majesty himself; and then made the greatest professions of duty to his majesty's person that could be invented. The king had not, at that time, one person about him of his council, who had the least consideration of his honour, or friendship for those who sat at the helm of affairs; the duke of Lenox only excepted; who was a young man of small experience in affairs, though a man of great honour, and very good parts, and under the disadvantage of being looked upon as a Scotsman; which he was not in his affections at all, being born in England, of an English mother, and having had his education there; and had indeed the manners and nature and heart of an Englishman, and a duty and reverence and affection for the king and church accordingly; and would never trust himself in those intrigues, as too mysterious for him.

The rest who were about the king in any offices of attendance, were the earl of Holland, whom we have had occasion to mention before in the first entrance upon this discourse, and whom we shall have often occasion hereafter to speak of; and therefore shall say no more of him now, than that he neither

loved the marquis of Hamilton, whom he believed the Scots intended to revenge themselves upon; nor Wentworth the deputy of Ireland; nor the archbishop of Canterbury; nor almost any thing that was then done in church or state. Secretary Coke, who had all the despatches upon his hand, was near eighty years of age; a man of gravity, who never had quickness from his cradle; who loved the church well enough as it was twenty years before; and understood nothing that had been done in Scotland, and thought that nothing that was or could be done there worth such a journey as the king had put himself to. Sir Harry Vane was comptroller of the house, and a busy and a bustling man; who had credit enough to do his business in all places, and cared for no man otherwise than as he found it very convenient for himself. There was no other of his council of name but the general, the earl of Arundel, who was always true to the character under which he was heretofore delivered, and thought he had been general long enough. All the lustre of the court was in that part of the nobility which attended upon command, and at their own charge; and therefore the more weary of it. The earl of Pembroke hath been forgotten, who abhorred the war as obstinately as he loved hunting and hawking, and so was like to promote all overtures towards accommodation with great importunity: so the Scots found persons to treat with them according to their own wish. The earl of Essex still preserving his grandeur and punctuality, positively refused to meddle in the treaty, or to be communicated with, or so much as to be present, or receive any visits from the Scot-

tish commissioners till after the pacification was concluded.

The covenanters were firm, and adhered still to their old natural principle, even in this their address; justified all they had done to be "according "to their native rights, and for the better advance- "ment of his majesty's service, which they had "always before their eyes;" and desired "to have "those receive exemplary punishment, who had "done them ill offices, and misrepresented their "carriage to the king; and that some noble lords "might be appointed to treat upon all particulars." And upon no other submission than this a treaty was presently entered upon, and concluded.

Whosoever will take upon him to relate all that passed in that treaty, must be beholding to his own invention; the most material matters having passed in discourse, and very little committed to writing. Nor did any two who were present agree in the same relation of what was said and done; and which was worse, not in the same interpretation of the meaning of what was comprehended in writing. An agreement was made, if that can be called an agreement, in which nobody meant what others believed he did: "The armies were to be dis- "banded; an act of oblivion passed; the king's "forts and castles to be restored; and an assem- "bly and parliament to be called for a full settle- "ment; no persons reserved for justice, because "no fault had been committed." The king's army, by the very words of the agreement, was not to be disbanded until all should be executed on their part; and the king himself, at that time, resolved to be present in the assembly at least, if not

in the parliament: but the impatience of all was such for peace, that the king's army was presently disbanded; his majesty making all possible haste himself to London, and sending the earl of Traquaire to Edinburgh, to prepare all things for the assembly; whilst the Scots made all the caresses to many of the English, and breathed out in mutual confidence their resentments to each other.

The marquis of Hamilton (whether upon the fame of the treaty, or sent for by the king, few knew) left his fleet before Leith in a very peaceable posture, and came to the Berkes some hours after the treaty was signed; which was very convenient to him, for thereby he was free from the reproach that attended it, and at liberty to find fault with it; which he did freely to the king, and to some others, whereby he preserved himself in credit to do more mischief. Many were then of opinion, and still are, that the marquis at that time was very odious to his countrymen; and it is certain that the chief managers at the treaty did persuade the English in whom they most confided, that their principal aim was to remove him from the court; which was a design willingly heard, and universally grateful. But whatever state of grace he stood in when he came thither, he did himself so good offices before he parted, that he was no more in their disfavour. The king's army was presently disbanded, and the Scots returned to Edinburgh with all they desired; having gotten many more friends in England than they had before; kept all their officers, and as many of their men as they thought fit, in pay; and prosecuted all those who had not shewed the same zeal in their covenant as themselves with great

rigour, as men whose affections they doubted; and, instead of remitting any thing of their rage against their bishops, they entered a public protestation, "That they did not intend, by any thing contained "in the treaty, to vacate any of the proceedings "which had been in the late general assembly at "Glasgow," (by which all the bishops stood excommunicated,) and renewed all their menaces against them by proclamation; and imposed grievous penalties upon all who should presume to harbour any of them in their houses: so that by the time the king came to London, it appeared plainly, that the army was disbanded without any peace made, and the Scots in more reputation, and equal inclination, to affront his majesty than ever. Upon which a paper published by them, and avowed to contain the matter of the treaty, was burned by the common hangman; every body disavowing the contents of it, but nobody taking upon him to publish a copy that they owned to be true.

The mischief that befell the king from this wonderful atonement cannot be expressed, nor was it ever discovered what prevailed over his majesty to bring it so wofully to pass: all men were ashamed who had contributed to it; nor had he dismissed his army with so obliging circumstances as was like to incline them to come so willingly together, if there were occasion to use their service. The earl of Essex, who had merited very well throughout the whole affair, and had never made a false step in action or in council, was discharged in the crowd, without ordinary ceremony; and an accident happening at the same time, or very soon after, by the death of the lord Aston, whereby the command of

the forest of Needwood fell into the king's disposal, which lay at the very door of his estate, and would infinitely have gratified him, was denied to him, and bestowed upon another: all which wrought very much upon his rough proud nature, and made him susceptible of some impressions afterwards, which otherwise would not have found such easy admission.

The factions and animosities at court were either greater, or more visible, than they had been before. The earl of Newcastle (who was governor to the prince, and one of the most valuable men in the kingdom, in his fortune, in his dependences, and in his qualifications) had, at his own charge, drawn together a goodly troop of horse of two hundred; which for the most part consisted of the best gentlemen of the north, who were either allied to the earl, or of immediate dependence upon him, and came together purely upon his account; and called this troop the prince of Wales's troop; whereof the earl himself was captain. When the earl of Holland marched with that party into Scotland, the earl of Newcastle accompanied him with that troop, and, upon occasion of some orders, desired that troop, since it belonged to the prince of Wales, might have some precedence; which the general of the horse refused to grant him, but required him to march in the rank he had prescribed; and the other obeyed it accordingly, but with resentment, imputing it to the little kindness that was between them. But as soon as the army was disbanded, he sent a challenge to the earl of Holland, by a gentleman very punctual, and well acquainted with those errands; who took a proper season to mention

it to him, without a possibility of suspicion. The earl of Holland was never suspected to want courage, yet in this occasion he shewed not that alacrity, but that the delay exposed it to notice; and so, by the king's authority, the matter was composed; though discoursed of with liberty enough to give the whole court occasion to express their affections to either party.

The king himself was very melancholic, and quickly discerned that he had lost reputation at home and abroad; and those counsellors who had been most faulty, either through want of courage or wisdom, (for at that time few of them wanted fidelity,) never afterwards recovered spirit enough to do their duty, but gave themselves up to those who had so much overwitted them; every man shifting the fault from himself, and finding some friend to excuse him: and it being yet necessary, that so infamous a matter should not be covered with absolute oblivion, it fell to secretary Coke's turn, (for whom nobody cared,) who was then near fourscore years of age, to be made the sacrifice; and, upon pretence that he had omitted the writing what he ought to have done, and inserted somewhat he ought not to have done, he was put out of his office; and within a short time after, sir Henry Vane (who was treasurer of the house) by the dark contrivance of the marquis of Hamilton, and by the open and visible power of the queen, made secretary of state; which was the only thing that could make the removal of the other old man censured and murmured at: and this was attended again with a declared and unseasonable dislike and displeasure in the queen against the lieutenant of

Ireland, newly made earl of Strafford; who out of some kindness to the old man, who had been much trusted by him and of use to him, and out of contempt and detestation of Vane, but principally out of a desire to have had that miscarriage expiated by a greater sacrifice, opposed the removal of secretary Coke with all the interest he could, got it suspended for some time, and put the queen to the exercise of her full power to perfect her work; which afterwards produced many sad disasters. So that this unhappy pacification kindled many fires of contention in court and country, though the flame broke out first again in Scotland.

On the other side, the Scots got so much benefit and advantage by it, that they brought all their other mischievous devices to pass with ease, and a prosperous gale in all they went about. They had before no credit abroad in any foreign parts, and so could procure neither arms nor ammunition; and though they could lead the people at home, out of the hatred and jealousy of popery, into unruly tumults, yet they had not authority enough over them to engage them in a firm resolution of rebellion: the opinion of their unquestionable duty and loyalty to the king was that which had given them reputation to affront him: nor durst they yet attempt to lay any tax or imposition upon the people, or to put them to any charge. But, after this pacification, they appeared much more considerable abroad and at home; abroad, where they were without a name, and considered by nobody, now that they had brought an army into the field against the king, gained all they pretended to desire, without reproach or blemish; France, their

old ally, looked upon them as good instruments to disturb their neighbours; and cardinal Richelieu (who had never looked upon the defeat and overthrow at the isle of Rhé as any reparation for the attempt and dishonour of the invasion) was very glad of the opportunity of disturbing a rest and quiet, which had not been favourable to his designs; and sent an agent privately to Edinburgh, to cherish and foment their unpeaceable inclinations; and received another from thence, who solicited supplies, and communicated counsels: he sent them arms and ammunition, and promised them encouragement and assistance proportionable to any enterprise they should frankly engage themselves in. Holland entered into a closer correspondence with them; and they found credit there for a great stock of arms and ammunition, upon security of payment within a year; which security they easily found a way to give. And thus countenanced and supplied, they quickly got credit and power over the people at home; and as soon as they had formed some troops of those who had been listed by them under good officers, (whereof store resorted to them of that nation out of Germany and Sweden,) and assigned pay to them, they made no longer scruple to impose what money they thought fit upon the people, and to levy it with all rigour upon them who refused, or expressed any unwillingness to submit to the imposition; and made the residence of any amongst them very uneasy, and very insecure, who were but suspected by them not to wish well to their proceedings: and so they renewed all those forms for the administration of the government, which they had begun in

the beginning of the disorders, and which they disclaimed upon making the pacification; and refused to suffer the king's governor of the castle of Edinburgh (which was put into his hands about the same time) either to repair some works which were newly fallen down, or so much as to buy provision in the town for the food of the garrison.

But that which was the greatest benefit and advantage that accrued unto them from the agreement, and which was worth all the rest, was the conversation they had with the English with so much reputation, that they had persuaded very many to believe, that they had all manner of fidelity to the king, and had too much cause to complain of the hard proceedings against them by the power of some of their own countrymen; and the acquaintance they made with some particular lords, to that degree, that they did upon the matter agree what was to be done for the future, and how to obstruct any opposition or proceedings by those who were looked upon as enemies by both sides: for none in Scotland more disliked all that was done in court, and the chief actors there, than those lords of England did; though they were not so well prepared for an expedient for the cure.

The people of Scotland being now reduced to a more implicit obedience, and nobody daring to oppose the most violent proceedings of the most violent persons in authority, they lost no time, as hath been said, to make all preparations for a war they meant to pursue. Most of the king's privy council and great ministers, who (though they had not vigorously performed their duty in support of the regal power) till now had been so reserved,

that they seemed not to approve the disorderly proceedings, but now as frankly wedded that interest as any of the leaders, and quickly became the chief of the leaders.

[Of these was] the earl of Argyle: who had been preserved by the king's immediate kindness and full power, and rescued from the anger and fury of his incensed father; who, being provoked by the disobedience and insolence of his son, resolved so to have disposed of his fortune, that little should have accompanied the honour after his death. But by the king's interposition, and indeed imposition, the earl, in strictness of the law in Scotland, having need of the king's grace and protection, in regard of his being become Roman Catholic, and his majesty granting all to the son which he could exact from the father, the old man was in the end compelled to make over all his estate to his son; reserving only such a provision for himself, as supported him according to his quality during his life, which he spent in the parts beyond the seas. The king had too much occasion afterwards to remember, that in the close, after his majesty had determined what should be done on either part, the old man declared, "He would submit "to the king's pleasure, though he believed he was "hardly dealt with;" and then with some bitterness put his son in mind of his undutiful carriage towards him; and charged him "to carry in his "mind how bountiful the king had been to him;" which yet, he told him, he was sure he would forget: and thereupon said to his majesty, "Sir, I "must know this young man better than you can "do: you have brought me low, that you may

" raise him; which I doubt you will live to repent; " for he is a man of craft, subtilty, and falsehood, " and can love no man; and if ever he finds it in " his power to do you mischief, he will be sure to " do it." The king considered it only as the effect of his passion, and took no other care to prevent it, but by heaping every day new obligations upon him; making him a privy counsellor, and giving him other offices and power to do hurt, thereby to restrain him from doing it; which would have wrought upon any generous nature the effect it ought to have done. This earl (for his father was now dead) came not to Edinburgh during the first troubles; and though he did not dissemble his displeasure against the bishops, because one of them had affronted him, in truth, very rudely, yet he renewed all imaginable professions of duty to the king, and a readiness to engage in his service, if those disorders should continue: but after the pacification and the disbanding of the king's army, and the covenanters declaring that they would adhere to the acts of the Assembly at Glasgow, he made haste to Edinburgh with a great train of his family and followers; and immediately signed the covenant, engaged for the provision of arms, and raising forces; and in all things behaved himself like a man that might very safely be confided in.

There wanted not persons still who persuaded the king, " that all might yet be ended without " blood; that there were great divisions amongst " the chief leaders, through emulation and ambition " of command; and that the access of the earl of " Argyle to that party would drive others as con-

" siderable from it, who never did, nor ever would, " unite with him in any design;" and therefore advised, " that his majesty would require them to " send some persons intrusted by their body to " attend him, and give an account of the reasons " of their proceedings." They demanded a safe conduct for the security of the persons they should employ; which was sent accordingly: and thereupon some persons, of the nobility, and others, were commissioned to wait on the king; amongst which the lord Lowden was principally relied on for his parts and abilities; a man who was better known afterwards, and whom there will hereafter be so often occasion to mention, as it will not be necessary in this place further to enlarge upon him. They behaved themselves, in all respects, with the confidence of men employed by a foreign state; refused to give any account but to the king himself; and even to himself gave no other reason for what was done, but the authority of the doers, and the necessity that required it; that is, that they thought it necessary: but then they polished this sturdy behaviour with all the professions of submission and duty, which their language could comprehend.

At this time the king happened to intercept a letter, which had been signed by the chief of the covenanters, and particularly by the lord Lowden, written to the French king, in which they complained " of the hardness and injustice of the go- " vernment that was exercised over them; put him " in mind of the dependence this kingdom formerly " had upon that crown; and desired him now to " take them into his protection, and give them as- " sistance; and that his majesty would give entire

" credit to one Colvil, who was the bearer of that " letter, and well instructed in all particulars:" and the letter itself was sealed and directed *Au Roy;* a style only used from subjects to their natural king. This letter being seen and perused by the lords of the council, and the lord Lowden being examined, and refusing to give any other answer, than " That it was writ before the agreement, and " thereupon reserved and never sent; that, if he " had committed any offence, he ought to be ques- " tioned for it in Scotland, and not in England; " and insisting upon his safe conduct, demanded " liberty to return." All men were of opinion, that so foul a conspiracy and treason ought not to be so slightly excused; and that both the lord Lowden and Colvil (who was likewise found in London, and apprehended) should be committed to the Tower: which was done accordingly; all men expecting that they would be brought to a speedy trial.

This discovery made a very deep impression upon the king; and persuaded him, that such a foul application could never have been thought of, if there had not been more poison in the heart, than could be expelled by easy antidotes; and that the strongest remedies must be provided to root out this mischief: thereupon he first advised with that committee of the council, which used to be consulted in secret affairs, what was to be done? That summer's action had wasted all the money that had been carefully laid up; and, to carry on that vast expense, the revenue of the crown had been anticipated; so that, though the raising an army was visibly necessary, there appeared no means how to

raise that army. No expedient occurred to them so proper as a parliament, and which had been now intermitted near twelve years. And though those meetings had of late been attended by some disorders, the effects of mutinous spirits; and the last had been dissolved (as hath been said before) with some circumstances of passion and undutifulness, which so far incensed the king, that he was less inclined to those assemblies; yet this long intermission, and the general composure of men's minds in a happy peace, and universal plenty over the whole nation, (superior sure to what any other nation ever enjoyed,) made it reasonably believed, notwithstanding the murmurs of the people against some exorbitancies of the court, that sober men, and such as loved the peace and plenty they were possessed of, would be made choice of to serve in the house of commons; and then the temper of the house of peers was not to be apprehended: but especially the opinion of the prejudice and general aversion over the whole kingdom to the Scots, and the indignation they had at their presumption in their thought of invading England, made it believed, that a parliament would express a very sharp sense of their insolence and carriage towards the king, and provide remedies proportionable.

Upon these motives and reasons, with the unanimous consent and advice of the whole committee, the king resolved to call a parliament; which he communicated the same day, or rather took the resolution that day, in his full council of state, which expressed great joy upon it; and directed the lord keeper to issue out writs for the meeting of a parliament upon the 13th day of April then next ensu-

ing; it being now in the month of December; and all expedition was accordingly used in sending out the said writs, the notice of it being most welcome to the whole kingdom.

That it might appear that the court was not at all apprehensive of what the parliament would or could do; and that it was convened by his majesty's grace and inclination, not by any motive of necessity; it proceeded in all respects in the same unpopular ways it had done: ship-money was levied with the same severity; and the same rigour used in ecclesiastical courts, without the least compliance with the humour of any man; which was great steadiness; and, if it were then well pursued, it degenerated too soon afterwards.

In this interval, between the sealing the writs and the convention of the parliament, the lord keeper Coventry died; to the king's great detriment, rather than to his own. So much hath been said already of this great man, that there shall be no further enlargement in this place, than to say, that he was a very wise and excellent person, and had a rare felicity, in being looked upon generally throughout the kingdom with great affection, and a singular esteem, when very few other men in any high trust were so; and it is very probable, if he had lived to the sitting of that parliament, when, whatever lurked in the hearts of any, there was not the least approach of any irreverence to the crown, that he might have had great authority in the forming those counsels, which might have preserved it from so unhappy a dissolution. His loss was the more manifest and visible in his successor; the seal being within a day or two given to sir John Finch,

chief justice of the court of common pleas; a man exceedingly obnoxious to the people upon the business of ship-money; and not of reputation and authority enough to countenance and advance the king's service.

These digressions have taken up too much time, and may seem foreign to the proper subject of this discourse; yet they may have given some light to the obscure and dark passages of that time, which were understood by very few. But for the future, very short mention shall be made of any thing but what immediately relates to the person, whose life is to be herein contained, or what is necessary to explain or illustrate those actions or counsels, in which he was interested or concerned.

The parliament met according to summons upon the 13th of April in the year 1640, with the usual ceremony and formality; and after the king had shortly mentioned "his desire to be again acquainted with parliaments, after so long an intermission; and to receive the advice and assistance of his subjects there;" he referred the cause of the present convention to be enlarged upon by the lord keeper: who related the whole proceedings of Scotland; "his majesty's condescensions the year before, in disbanding his army upon their promises and professions; their insolencies since; and their address to the king of France, by the letter mentioned before;" which the king had touched upon, and having forgot to make the observation upon the superscription himself, he required the keeper to do it; who told them, after the whole relation, "That his majesty did not expect advice from them, much less that they should

" interpose in any office of mediation, which would " not be grateful to him; but that they should, as " soon as might be, give his majesty such a supply, " as he might provide for the vindication of his " honour, by raising an army, which the season of " the year, and the progress the rebels had already " made, called upon without delay; and his ma- " jesty assured them, if they would gratify him " with this expedition, that he would give them " time enough afterwards to represent any griev- " ances to him, and a favourable answer to them;" and so dismissed the commons to choose their speaker; to which sergeant Glanvile was designed, and chosen the same day: a man very equal to the work, very well acquainted with the proceedings in parliament; of a quick conception, and of a ready and voluble expression, dexterous in disposing the house, and very acceptable to them. The earl of Arundel, earl marshal of England, was made lord steward of the king's house; an office necessary in the beginning of a parliament; being to swear all the members of the house of commons before they could sit there. Two days after, the commons presented their speaker to the king, who, in the accustomed manner, approved their choice; upon which they returned to their house, being now formed and qualified to enter upon any debates.

The house met always at eight of the clock, and rose at twelve; which were the old parliament hours; that the committees, upon whom the greatest burden of business lay, might have the afternoons for their preparation and despatch. It was not the custom to enter upon any important business in the first fortnight; both because many

members used to be absent so long; and that time was usually thought necessary for the appointment and nomination of committees, and for other ceremonies and preparations that were usual: but there was no regard now to that custom; and the appearance of the members was very great, there having been a large time between the issuing out of the writs and the meeting of the parliament, so that all elections were made and returned, and every body was willing to fall to the work.

Whilst men gazed upon each other, looking who should begin, (much the greatest part having never before sat in parliament,) Mr. Pym, a man of good reputation, but much better known afterwards, who had been as long in those assemblies as any man then living, brake the ice, and in a set discourse of above two hours, after mention of the king with the most profound reverence, and commendation of his wisdom and justice, he observed, "That by the "long intermission of parliaments many unwarrant-"able things had been practised, notwithstanding "the great virtue of his majesty:" and then enumerated all the projects which had been set on foot; all the illegal proclamations which had been published, and the proceedings which had been upon those proclamations; the judgment upon ship-money; and many grievances which related to the ecclesiastical jurisdiction; summing up shortly, and sharply, all that most reflected upon the prudence and the justice of the government; concluding, "That he had only laid that scheme before them, "that they might see how much work they had to "do to satisfy their country; the method and "manner of the doing whereof he left to their

" wisdoms." Mr. Grimston insisted only on the business of ship-money; the irregular and preposterous engaging the judges to deliver their opinion to the king, and their being afterwards divided in their judgment; and said, " He was persuaded, " that they, who gave their opinions for the legality " of it, did it against the *dictamen* of their own " conscience." Peard, a bold lawyer, of little note, inveighed more passionately against it, calling it *an abomination:* upon which, Herbert, the king's solicitor, with all imaginable address, in which he then excelled, put them in mind " with what can- " dour his majesty had proceeded in that, and all " other things which related to the administration " of justice to all his people; that, how persuaded " soever he was within himself of the justice as " well as necessity of levying ship-money, he would " not send out a writ for the doing thereof, till he " received the affirmative advice of all the judges " of England; and when the payment was opposed " by a gentleman," (and then he took occasion to stroke and commend Mr. Hambden, who sat under him, for his great temper and modesty in the prosecution of that suit,) " the king was very well " contented that all the judges of England should " determine the right; that never any cause had " been debated and argued more solemnly before " the judges; who, after long deliberation between " themselves, and being attended with the records, " which had been cited on both sides, delivered " each man his opinion and judgment publicly in " the court, and so largely, that but two judges " argued in a day; and after all this, and a judg- " ment with that solemnity pronounced for the

" king, by which the king was as legally possessed " of that right, as of any thing else he had; that " any particular man should presume to speak " against it with that bitterness, and to call it *an* " *abomination*, was very offensive, and unwarrant- " able; and desired that that gentleman, who had " used that expression, might explain himself, and " then withdraw." Very many called him to the bar; and the solicitor's discourse was thought to have so much weight in it, that Mr. Peard very hardly escaped a severe reprehension: which is mentioned only that the temper and sobriety of that house may be taken notice of, and their dissolution, which shortly after fell out, the more lamented.

Though the parliament had not sat above six or seven days, and had managed all their debates, and their whole behaviour, with wonderful order and sobriety, the court was impatient that no advance was yet made towards a supply; which was foreseen would take up much time, whensoever they went about it, though never so cordially; and therefore they prevailed with the house of peers, which was more entirely at the king's disposal, that it would demand a conference with the house of commons, and then propose to them, by way of advice, " That they would begin with giving the " king a supply, in regard of the urgency and even " necessity of his affairs, and afterwards proceed " upon their grievances, or any thing else as they " thought fit:" and the house of peers accordingly did give their advice to this purpose at a conference. This conference was no sooner reported in the house of commons, than their whole temper

seemed to be shaken. It was the undoubted fundamental privilege of the commons in parliament, that all supplies should have their rise and beginning from them; this had never been infringed, or violated, or so much as questioned in the worst times; and that now after so long intermission of parliaments, that all privileges might be forgotten, the house of peers should begin with an action their ancestors never attempted, administered too much cause of jealousy of somewhat else that was intended; and so with an unanimous consent they declared it to be "so high a breach of privilege, "that they could not proceed upon any other matter "until they first received satisfaction and repara-"tion from the house of peers;" and which the next day they demanded at a conference. The lords were sensible of their error; which had been foreseen, and dissuaded by many of them; they "acknowledged the privilege of the commons as "fully as they demanded it, and hoped they had "not broken it by offering their advice to them "without mentioning the nature of the supply, the "proportion, or manner of raising it, which they "confessed belonged entirely to them:" in fine, they desired them, "that this might be no occa-"sion of wasting their time but that they would "proceed their own way, and in their own method, "upon the affairs of the kingdom." This gave no satisfaction; was no reparation; and served their turn who had no mind to give any supply without discovering any such dissatisfaction, which would have got them no credit, the house being generally exceedingly disposed to please the king, and to do him service. But this breach of privilege, which

was craftily enlarged upon, as if it swallowed up all their other privileges, and made them wholly subservient to the peers, was universally resented. A committee was appointed to examine precedents of former times, in case of violation of their privileges by the lords, though not of that magnitude, and thereupon to prepare a protestation to be sent up to the house of peers, and to be entered in their own Journal; and in the mean time no proceedings to be in the house upon any public [business,] except upon some report from a committee.

After some days had been passed in this manner, and it not being in view when this debate would be at an end, the king thought of another expedient, and sent a message in writing to the commons by sir Henry Vane, who was now both secretary of state and treasurer of the household, and at that time of good credit there; wherein his majesty took notice, "that there was some difference be-"tween the two houses, which retarded the trans-"action of the great affairs of the kingdom, at a "time when a foreign army was ready to invade "it: that he heard the payment of ship-money, "notwithstanding that it was adjudged his right, "was not willingly submitted to by the people; to "manifest therefore his good affection to his sub-"jects in general, he made this proposition: that "if the parliament would grant him twelve subsi-"dies to be paid in three years, in the manner "proposed, (that was, five subsidies to be paid the "first year, four the second, and three to be paid "in the last year,) his majesty would then release "all his title or pretence to ship-money for the fu-

" ture, in such a manner as his parliament should " advise."

Though exceptions might have been taken again in point of privilege, because his majesty took notice of the difference between the two houses; yet that spirit had not then taken so deep root: so that they resolved to enter, the next day after the delivery of it, upon a full debate of his majesty's message; they who desired to obstruct the giving any supply, believing they should easily prevail to reject this proposition upon the greatness of the sum demanded, without appearing not to favour the cause in which it was to be employed, which they could not have done with any advantage to themselves, the number of that classis of men being then not considerable in the house. It was about the first day of May that the message was delivered, and the next day it was resumed about nine of the clock in the morning, and the debate continued till four of the clock in the afternoon; which had been seldom used before, but afterwards grew into custom. Many observed, " that they were to purchase a release of an impo- " sition very unjustly laid upon the kingdom, and " by purchasing it, they should upon the matter " confess it had been just;" which no man in his heart acknowledged; and therefore wished, " that " the judgment might be first examined, and being " once declared void, what they should present the " king with would appear a gift, and not a recom- " pense:" but this was rather modestly insinuated than insisted upon; and the greater number reflected more of the proportion demanded, which some of those who were thought very well to understand the state of the kingdom, confidently affirmed to be

more than the whole stock in money of the kingdom amounted to; which appeared shortly after to be a very gross miscomputation. There were very few, except those of the court, (who were ready to give all that the king would ask, and indeed had little to give of their own,) who did not believe the sum demanded to be too great, and wished that a less might be accepted, and therefore were willing, when the day was so far spent, that the debate might be adjourned till the next morning; which was willingly consented to by all, and so the house rose. All this agitation had been in a committee of the whole house, the speaker having left the chair, to which Mr. Lenthall, a lawyer of no eminent account, was called. But there was not, in the whole day, in all the variety of contradictions, an offensive or angry word spoken: except only that one private country gentleman, little known, said, "He observed that "the supply was to be employed in the supporting "*bellum episcopale*, which he thought the bishops "were fittest to do themselves:" but as there was no reply, or notice taken of it, so there was nobody who seconded that envious reflection, nor any other expression of that kind.

The next day as soon as the house met, and prayers were read, it resolved again into a grand committee, the same person being again called to the chair: it was expected, and hoped, that there would have been some new message from the king, that might have facilitated the debate; but nothing appearing of that kind, the proposition was again read, and men of all sides discoursed much of what had been said before, and many spoke with more reflection upon the judgment of ship-money than

they had done the day past, and seemed to wish, "*that* whatsoever we should give the king should "*be a free testimony* of our affection and duty, "*without* any release of ship-money, which deserved "no consideration, but in a short time would appear "void and null." And this seemed to agree with the sense of so great a part of the house, that Mr. Hambden, the most popular man in the house, (and the same who had defended the suit against the king in his own name, upon the illegality of ship-money,) thought the matter ripe for the question, and desired that the question might be put, "Whe-"ther the house would consent to the proposition "made by the king, as it was contained in the "message?" which would have been sure to have found a negative from all who thought the sum too great, or were not pleased that it should be given in recompense of ship-money.

When many called to have this question, sergeant Glanvile, the speaker, (who sat by amongst the other members whilst the house was in a committee, and hath rarely used to speak in such seasons,) rose up, and in a most pathetical speech, in which he excelled, endeavoured to persuade the house "to "comply with the king's desire, for the good of "the nation, and to reconcile him to parliaments "for ever, which this seasonable testimony of their "affections would infallibly do." He made it manifest to them how very inconsiderable a sum twelve subsidies amounted to, by telling them, "that he "had computed what he was to pay for those twelve "subsidies;" and when he named the sum, and he being known to be possessed of a great estate, it seemed not worth any further deliberation. And in

the warmth of his discourse, which he plainly discerned made a wonderful impression upon the house, he let fall some sharp expressions against the imposition of ship-money, and the judgment in the point, which he said plainly " was against the law, if he " understood what law was," (who was known to be very learned,) which expression, how necessary and artificial soever to reconcile the affections of the house to the matter in question, very much irreconciled him at court, and to those upon whom he had the greatest dependence.

There was scarce ever a speech that more gathered up and united the inclinations of a popular council to the speaker: and if the question had been presently put, it was believed the number of the dissenters would not have appeared great. But after a short silence, some men, who wished well to the main, expressed a dislike of the way, so that other men recovered new courage, and called again with some earnestness, " That the question formerly proposed " by Mr. Hambden should be put:" which seemed to meet with a concurrence. Mr. Hyde then stood up, and desired, " that question might not be put; " said, it was a captious question, to which only " one sort of men could clearly give their vote, " which were they who were for a rejection of the " king's proposition, and no more resuming the " debate upon that subject: but that they who " desired to give the king a supply, as he believed " most did, though not in such a proportion, nor, " it may be, in that manner, could receive no satis- " faction by that question; and therefore he pro- " posed, to the end that every man might frankly " give his yea, or his no, that the question might

" be put only, upon the giving the king a supply: " which being carried in the affirmative, another " question might be upon the proportion, and the " manner; and if the first were carried in the " negative, it would produce the same effect, as " the other question proposed by Mr. Hambden " would do."

This method was received with great approbation, but opposed by others with more than ordinary passion, and diverted by other propositions, which being seconded took much time, without pointing to any conclusion. In the end sergeant Glanvile said, " That there had been a question proposed by " his countryman, that agreed very well with his " sense, and moved that the gentleman might be " called upon to propose it again." Whereupon Mr. Hyde stated the case again as he had done, answered somewhat that had been said against it, and moved, " that question might be put." Whereupon for a long time there was nothing said, but a confused clamour, and call, " Mr. Hambden's question," " Mr. Hyde's question;" the call appearing much stronger for the last, than the former: and it was generally believed, that the question had been put, and carried in the affirmative, though it was positively opposed by Herbert the solicitor general, for what reason no man could imagine, if sir Henry Vane the secretary had not stood up, and said, " That, as it had been always his custom to " deal plainly and clearly with that house in all " things, so he could not but now assure them, that " the putting and carrying that question could be " of no use; for that he was most sure, and had " authority to tell them so, that if they should pass

" a vote for the giving the king a supply, if it were " not in the proportion and manner proposed in his " majesty's message, it would not be accepted by " him; and therefore desired that question might " be laid aside;" which being again urged by the solicitor general upon the authority of what the other had declared, and the other privy-counsellors saying nothing, though they were much displeased with the secretary's averment, the business was no more pressed; but it being near five of the clock in the afternoon, and every body weary, it was willingly consented to that the house should be adjourned till the next morning.

Both sir Henry Vane, and the solicitor general Herbert, (whose opinion was of more weight with the king than the other's,) had made a worse representation of the humour and affection of the house than it deserved, and undertook to know, that if they came together again, they would pass such a vote against ship-money, as would blast that revenue and other branches of the receipt; which others believed they would not have had the confidence to have attempted; and very few, that they would have had the credit to have compassed. What followed in the next parliament, within less than a year, made it believed, that sir Henry Vane acted that part maliciously, and to bring all into confusion; he being known to have an implacable hatred against the earl of Strafford, lieutenant of Ireland, whose destruction was then upon the anvil. But what transported the solicitor, who had none of the ends of the other, could not be imagined, except it was his pride and peevishness, when he found that he was like to be of less authority there,

than he looked to be; and yet he was heard with great attention, though his parts were most prevalent in puzzling and perplexing that discourse he meant to cross. Let their motives be what they would, they two, and they only, wrought so far with the king, that, without so much deliberation as the affair was worthy of, his majesty the next morning, which was on the fourth or fifth of May, not three weeks from their first meeting, sent for the speaker to attend him, and took care that he should go directly to the house of peers, upon some apprehension that if he had gone to the house of commons, that house would have entered upon some ingrateful discourse; which they were not inclined to do; and then sending for that house to attend him, the keeper, by his majesty's command, dissolved the parliament.

There could not a greater damp have seized upon the spirits of the whole nation, than this dissolution caused; and men had much of the misery in view, which shortly after fell out. It could never be hoped, that more sober and dispassionate men would ever meet together in that place, or fewer who brought ill purposes with them; nor could any man imagine what offence they had given, which put the king to that resolution. But it was observed, that in the countenances of those who had most opposed all that was desired by his majesty, there was a marvellous serenity; nor could they conceal the joy of their hearts: for they knew enough of what was to come, to conclude that the king would be shortly compelled to call another parliament; and they were as sure, that so many grave and unbiassed men would never be elected again.

Within an hour after the dissolving, Mr. Hyde met Mr. Saint-John, who had naturally a great cloud in his face, and very seldom was known to smile, but then had a most cheerful aspect, and seeing the other melancholic, as in truth he was from his heart, asked him, "What troubled him?" who answered, "That the same that troubled him, "he believed, troubled most good men; that in "such a time of confusion, so wise a parliament, "which could only have found remedy for it, was "so unseasonably dismissed:" the other answered with a little warmth, "That all was well: and that "it must be worse, before it could be better; and "that this parliament would never have done what "was necessary to be done;" as indeed it would not, what he and his friends thought necessary.

The king, when he had better reflected upon what was like to fall out, and was better informed of the temper and duty of the house of commons, and that they had voted a supply, if sir Henry Vane had not hindered it by so positive a declaration that his majesty would refuse it, was heartily sorry for what he had done; declared with great anger, "That he had never given him such authority; "and that he knew well that the giving him any "supply would have been welcome to him, because "the reputation of his subjects assisting him in "that conjuncture was all that he looked for and "considered." He consulted the same day, or the next, whether he might by his proclamation recall them to meet together again: but finding that impossible, he fell roundly to find out all expedients for the raising of money, in which he had so wonderful success, that, in less than three weeks, by

the voluntary loan of the particular lords of the council, and of other private gentlemen about the city, some relating to the court, and others strangers to it, there was no less than three hundred thousand pounds paid into the exchequer to be issued out as his majesty should direct: a sum that sufficiently manifests the plenty of that time, and greater than any prince in Europe could have commanded in so short a time; and was an unanswerable evidence, that the hearts of his subjects were not then aliened from their duty to the king, or a just jealousy for his honour.

All diligence was used in making levies, in which few of the general officers which had been employed the year before were made use of; though it was great pity that the earl of Essex was not again taken in; which had infallibly preserved him from swerving from his duty, and he would have discharged his trust with courage and fidelity, and therefore probably with success: but he was of a rough, proud nature, and did not think his last summer's service so well requited that he was earnestly to solicit for another office; though there was no doubt but he would have accepted it, if it had been offered.

A general was appointed, the earl of Northumberland; and the lord Conway general of the horse: which made the great officers of the former year, the earl of Arundel, the earl of Essex, and the earl of Holland, (who thought themselves free from any oversights that had been committed,) more capable of infusions by those who were ready to work according to the occurrences upon their several constitutions, and I am persuaded if this war had

been left to the managery of the same officers, or rather if the earl of Essex had been made general, (who, notwithstanding the trivial disobligation he had received in being denied the command of Beedon-forest, might easily have been caressed,) it would have been more prosperously carried on. But the reputation of the earl of Northumberland, who had indeed arrived at a wonderful general estimation, was believed to be most instrumental: and the lord Conway by as gentle and as general a concurrence was thought an able soldier, and of great parts. Besides, the earls of Essex and Holland (for, for the earl of Arundel, there was neither reason why he was general in the first expedition, and why he was not in this;) were thought less governable by those councils to which the main was then to be intrusted, the earl of Strafford bearing a part in them; to whom the first was very averse, and the latter irreconcilable.

Dispatches were sent into Ireland to quicken the preparations there, which the earl had left in a great forwardness, under the care of the earl of Ormond, his lieutenant-general: monies issued out for the levies of horse and foot there, and for the making a train: all which were as well advanced as, considering the general discomposure, could be reasonably expected.

And the king, the earl of Northumberland, and the earl of Strafford, thought they had well provided for the worst in making choice of the lord Conway to be general of the horse: a man very dear to the two earls; and indeed, by a very extraordinary fate, [he had] got a very particular interest and esteem in many worthy men of very dif-

ferent qualifications. He had been born a soldier in his father's garrison of the Brill, when he was governor there; and bred up, in several commands, under the particular care of the lord Vere, whose nephew he was; and though he was married young, when his father was secretary of state, there was no action of the English either at sea or land, in which he had not a considerable command; and always preserved a more than ordinary reputation, in spite of some great infirmities, which use to be a great allay to the credit of active men; for he was a voluptuous man in eating and drinking, and of great license in all other excesses, and yet was very acceptable to the strictest and the gravest men of all conditions. And which was stranger than all this, he had always (from his pleasure, to which his nature excessively inclined him, and from his profession, in which he was diligent enough) reserved so much time for his books and study, that he was well versed in all parts of learning, at least appeared like such a one in all occasions, and in the best companies. He was of a very pleasant and inoffensive conversation, which made him generally very acceptable: so that the court being at that time full of faction, very few loving one another, or those who resorted to any who were not loved by them, he alone was even domestic with all, and not suspected by either of the lords' or the ladies' factions.

The war was generally thought to be as well provided for, as, after the last year's miscarriage, it could be, by his being made general of the horse; and no man was more pleased with it than the archbishop of Canterbury, who had contracted

an extraordinary opinion of this man, and took great delight in his company, he being well able to speak in the affairs of the church, and taking care to be thought by him a very zealous defender of it; when they who knew him better, knew he had no kind of sense of religion, and thought all was alike. He was sent down with the first troops of horse and foot which were levied, to the borders of Scotland, to attend the motion of the enemy, and had a strength sufficient to stop them, if they should attempt to pass the river, which was not fordable in above one or two places, there being good garrisons in Berwick and Carlisle. And in this posture he lay near Newburn in the outskirts of Northumberland.

Whilst these things were thus publicly acted, private agitations were not less vigorously intended. The treaty and pacification of the former year had given an opportunity of forming correspondences, and contriving designs, which before, had been more clandestine; and the late meeting in parliament had brought many together, who could not otherwise have met, and discovered humours and affections, which could not else have been so easily communicated. The court was full of faction and animosity, each man more intending the ruin of his adversary, and satisfying his private malice, than advancing his master's service, or complying with his public duty, and to that purpose directing all their endeavours, and forming all their intercourse; whilst every man sottishly thought him whom he found an enemy to his enemies, a friend to all his other affections: or rather by the narrowness of his understanding, and extent of his passion, having contracted all his other affections to that one of revenge.

And by this means those emissaries and agents for the confusion which was to follow were furnished with opportunity and art to entangle all those (and God knows they were a great people) who were transported with those vulgar and vile considerations: cheap, senseless libels were scattered about the city, and fixed upon gates and public remarkable places, traducing some, and proscribing others of those who were in highest trust and employment: tumults were raised, and all license both in actions and words taken; insomuch as a rabble of mean, unknown, dissolute persons, to the number of some thousands, attempted the house of the lord archbishop of Canterbury at Lambeth, with open profession and protestation, "that they would tear "him in pieces;" which (though one of that rabble, a sailor, was apprehended and executed in Southwark, upon an indictment of high treason) was so just a cause of terror, that the archbishop, by the king's command, lodged for some days and nights in Whitehall; which place likewise was not unthreatened in their seditious meetings and discourses. This infamous, scandalous, headless insurrection, quashed by the deserved death of that one varlet, was not then thought to be contrived or fomented by any persons of quality: yet it was discoursed after in the house of commons by Mr. Strode (one of those ephori who most avowed the curbing and suppressing of majesty) with much pleasure and content; and it was mentioned in the first draught of the first remonstrance (when the same was brought in by Mr. Pym) not without a touch of approbation, which was for that reason somewhat altered, though it still carried nothing of judgment upon it in that piece.

Things standing thus both in the court and city, and the Scots preparing amain for an invasion, and we, at least, for a defence, on a sudden the lord Lowden, (who before was said to be committed for desiring protection and aid from the French king, by a letter under his hand) was discharged from his imprisonment; without imparting that resolution to the council; and after a few days admittance and kind reception at Whitehall, was dismissed into Scotland; his authority and power with that people being as considerable as any man's, and his conduct as necessary for the enterprises they had in hand. This stratagem was never understood, and was then variously spoken of; many believing he had undertaken great matters for the king in Scotland, and to quiet that distemper: others, that it was an act entirely compassed by the marquis of Hamilton, who was like to stand in need of great supporters, by that extraordinary obligation to endear himself with that nation; or to communicate somewhat to that nation, if his condition before were so good that it needed no endearment. They who published their thoughts least, made no scruple of saying, "that "if the policy were good and necessary of his first "commitment, it seemed as just and prudent to "have continued him in that restraint."

The progress in the king's advance for Scotland was exceedingly hindered by the great and dangerous sickness of the earl of Northumberland the general, whose recovery was either totally despaired of by the physician, or pronounced to be expected very slowly; so that there would be no possibility for him to perform the service of the north: where-

upon he sent to the king, that he would make choice of another general. And though the lord Conway in all his letters sent advertisement, "that "the Scots had not advanced their preparations to "that degree, that they would be able to march "that year," yet the king had much better intelligence that they were in readiness to move; and so concluded, that it was necessary to send another general; and designed the earl of Strafford for that command, and to leave the forces in Ireland, which were raised to make a diversion in Scotland, to be governed by the earl of Ormond. The earl of Strafford was scarce recovered from a great sickness, yet was willing to undertake the charge, out of pure indignation to see how few men were forward to serve the king with that vigour of mind they ought to do, and knowing well the malicious designs which were contrived against himself, but he would rather serve as lieutenant-general under the earl of Northumberland, than that he should resign his commission: and so, with and under that qualification, he made all possible haste towards the north, before he had strength enough for the journey.

And before he could arrive with the army, that infamous irreparable rout at Newburn was fallen out; where the enemy marched at a time and place, when and where they were expected, through a river deep though fordable, and up a hill, where our army was ranged to receive them: through those difficulties and disadvantages, without giving or taking any blows, (for the five or six men of ours who were killed, fell by their cannon, before the passing of the river,) they put our whole army to

the most shameful and confounding flight that was ever heard of; our foot making no less haste from Newcastle, than our horse from Newburn; both leaving the honour, and the coal, to those who had not confidence enough (notwithstanding the evidence they had seen of our fear) to possess that town in two days after; not believing it possible that such a place, which was able to have waged war with their nation, could be so kindly quit to them: the lord Conway never after turning his face towards the enemy, or doing any thing like a commander, though his troops were quickly brought together again, without the loss of a dozen men, and were so ashamed of their flight, that they were very willing as well as able to have taken what revenge they would upon the enemy, who were possessed with all the fears imaginable, and could hardly believe their own success, till they were [assured that the lord Conway with all his army rested quietly in Durham, and then they presumed to enter into Newcastle.]

But it seemed afterwards to be a full vindication to the honour of the nation, that, from this infamous defeat at Newburn, to the last entire conquest of Scotland by Cromwell, the Scots' army never performed one signal action against the English, but were always beaten by great inequality of numbers as oft as they approached to any encounter, if they were not supported by English troops.

In this posture the earl of Strafford found the army about Durham, bringing with him a body much broken with his late sickness, which was not clearly shaken off, and a mind and temper confess-

ing the dregs of it, which being marvellously provoked and inflamed with indignation at the late dishonour, rendered him less gracious, that is, less inclined to make himself so, to the officers, upon his first entrance into his first charge; it may be, in that mass of disorder and unsoldierliness, not quickly discerning to whom kindness and respect was justly due. But those who by this time no doubt were retained for that purpose, took that opportunity to incense the army against him; and so far prevailed in it, that in a short time it was more inflamed against him than against the enemy; and was willing to have their want of courage imputed to excess of conscience, and that their being not satisfied in the grounds of the quarrel was the only cause that they fought no better. And in this disposition in all parts, the earl found it necessary to retire with the army to the skirts of Yorkshire, and himself to York, (whither the king was come,) leaving Northumberland and the bishopric of Durham to be possessed by the victors; who being abundantly satisfied with what they never hoped to possess, made no haste to advance their new conquests.

It was then and is now very much wondered at, that the earl of Strafford, upon his first arrival at the army, called no persons to a council of war for that shameful business of Newburn, or the more shameful quitting of Newcastle, (where were not ten barrels of musquet bullets, nor moulds to make any; the enemy having been long expected there, and our army not less than a month in that town; time enough, if nothing had been done before, to have made that place tenable for a longer time than

it could have been distressed.) Whether the earl saw that it would not have been in his power to have proceeded finally and exemplarily upon that inquisition, and therefore chose rather not to enter upon it; or whether he found the guilt to be so involved, that though some were more obnoxious, few were unfaulty; or whether he plainly discerned whither the whole tended, and so would not trouble himself further in discovering of that, which, instead of a reproach, might prove a benefit to the persons concerned; I know not: but any public examination it never had.

The Scots needed not now advance their progress; their game was in the hands (no prejudice to their skill) of better gamesters. Besides, they were not to make the least inroad, or do the least trespass to their neighbours of Yorkshire; who were as solicitous, that, by any access or concurrence of the strength of that large county, they should not be driven further back; and therefore, instead of drawing their trained bands together (which of themselves would have been a greater or a better army than was to contend with them) to defend their county, or the person of the king then with them, they prepared petitions of advice and good counsel to him to call a parliament, and to remove all other grievances but the Scots. At the same time some lords from London (of known and since published affections to that invasion) attended his majesty at York with a petition, signed by others, eight or ten in the whole, who were craftily persuaded by the liegers there, Mr. Pym, Mr. Hambden, and Mr. Saint-John, to concur in it, being full of duty and modesty enough; without

considering, that nothing else at that time could have done mischief; and so suffered themselves to be made instruments towards those ends, which in truth they abhorred.

In these distractions and discomposures, between an enemy proud and insolent in success, an army corrupted, or at best disheartened, a country mutinous and inclined to the rebels, at least not inclined to reduce them, and a court infected with all three, the king could not but find himself in great straits; besides that his treasure, which had hitherto kept that which was best from being worse, was quite spent. The raising and disbanding the first army so unfortunately and wretchedly, had cost full three hundred thousand pounds, which the good husbandry of the ministers of the revenue had treasured up for an emergent occasion; and the borrowing so much money for the raising and supplying this latter army had drawn assignments and anticipations upon the revenue to that degree, that there was not left wherewithal to defray the constant necessary expense of the king's household. A parliament would not be easily thought of for many other considerations than that it could not come together speedily enough to prevent that mischief; to which it should be chiefly applied: for if we were not then in a condition to defend ourselves, in forty days (the soonest a parliament could meet) an army elate with victory, when no town was fortified, or pass secured, would run over the kingdom; especially the people being every where so like to bid them welcome.

A new convention (not before heard of, that is, so old, that it had not been practised in some hun-

dreds of years) was thought of, to call a great council of all the peers of England to meet and attend his majesty at York, that by their advice that great affair might be the more prosperously managed. Whether it was then conceived, that the honour of the king and kingdom being so visibly upon the stage, those branches of honour, which could not outlive the root, would undoubtedly rescue and preserve it; or whether it was believed, that upon so extraordinary an occasion the peers would suffice to raise money; as it was in that meeting proposed by one of them, "that they "might give subsidies:" whether the advice was given by those who had not the confidence in plain terms to propose a parliament, but were confident that would produce one; or whether a parliament was then resolved on, and they called to be obliged by it, and so to be obliged to some sober undertaking in it; or what other ground or intention there was of that council, was never known: or whether indeed it was resolved out of the trouble and agony of afflicted thoughts, because no other way occurred: but such a resolution was taken, and writs immediately issued under the great seal of England to all the peers to attend his majesty at York within twenty days; and preparations were made in all places accordingly.

Whilst the lords are on their way thither, it will not be amiss to consider the general state of affairs in that time, and the persons to whom the managing the public business was principally then, and for some time had been, intrusted; that so, upon view of the materials, we may be the better enabled to guess how those dexterous workmen were like to

employ themselves. It is told you before, that, upon the dissolution of the parliament but four months before, the lords of the council bestirred themselves in levying the ship-money, and in lending great sums of money for the war.

The convocation house (the regular and legal assembling of the clergy) customarily beginning and ending with parliaments, was, after the determination of the last, by a new writ continued, and sat for the space of above a month under the proper title of a synod; made canons, which was thought that it might do; and gave subsidies, and enjoined oaths, that it might not do: in a word, did many things, which in the best times might have been questioned, and therefore were sure to be condemned in the worst; (what fuel it was to the fire that ensued, shall be mentioned in its place;) and drew the same prejudice upon the whole body of the clergy, to which before only some few clergymen were exposed.

The papists had for many years enjoyed a great calm, being upon the matter absolved from the severest parts of the law, and dispensed with for the gentlest; and were grown only a part of the revenue, without any probable danger of being made a sacrifice to the law. They were looked upon as good subjects at court, and as good neighbours in the country; all the restraints and reproaches of former times being forgotten. But they were not prudent managers of this prosperity, being too elate and transported with the protection and connivance they received: though I am persuaded their numbers increased not, their pomp and boldness did to that degree, that, as if they had affected

to be thought dangerous to the state, they appeared more publicly, entertained and urged conferences more avowedly, than had been before known: they resorted at common hours to mass to Somerset house, and returned thence in great multitudes, with the same barefacedness as others came from the Savoy or the neighbour churches: they attempted and sometimes obtained proselytes of weak uninformed ladies, with such circumstances as provoked the rage and destroyed the charity of great and powerful families, which longed for their suppression: they grew not only secret contrivers, but public professed promoters of, and ministers in, the most odious and the most grievous projects: as in that of soap, formed, framed, and executed, by almost a corporation of that religion; which, under that license and notion, might be, and were suspected to be, qualified for other agitations. The priests, and such as were in orders, (orders that in themselves were punishable by death,) were departed from their former modesty and fear, and were as willing to be known as to be hearkened to; insomuch as a Jesuit at Paris, who was coming for England, had the boldness to visit the ambassador there, who knew him to be such, and, offering his service, acquainted him with his journey, as if there had been no laws here for his reception. And for the most envious protection and countenance of that whole party, a public agent from Rome (first Mr. Con, a Scottish-man; and after him the count of Rozetti, an Italian) resided at London in a great port; publicly visited the court; and was avowedly resorted to by the catholics of all conditions, over whom they assumed a particular jurisdiction; and

was caressed and presented magnificently by the ladies of honour, who inclined to that profession. They had likewise, with more noise and vanity than prudence would have admitted, made public collections of money to a considerable sum, upon some recommendations from the queen, and to be by her majesty presented as a free-will offering from his catholic subjects to the king, for the carrying on the war against the Scots; which drew upon them the rage of that nation, with little devotion and reverence to the queen herself; as if she desired to suppress the protestant religion in one kingdom as well as the other, by the arms of the Roman catholics. To conclude, they carried themselves so, as if they had been suborned by the Scots to root out their own religion.

The bulk and burden of the state affairs, whereby the envy attended them likewise, lay principally upon the shoulders of the lord archbishop of Canterbury, the earl of Strafford, and the lord Cottington; some others being joined to them, as the earl of Northumberland for ornament, the lord bishop of London for his place, being lord high treasurer of England, the two secretaries, sir Henry Vane and sir Francis Windebank, for service, and communication of intelligence; only the marquis of Hamilton indeed, by his skill and interest, bore as great a part as he had a mind to do, and had the skill to meddle no further than he had a mind. These persons made up the committee of state, (which was reproachfully after called *the juncto,* and enviously then in the court *the cabinet council,*) who were upon all occasions, when the secretaries received any extraordinary intelligence, or were to

make any extraordinary dispatch, or as often otherwise as was thought fit, to meet: whereas the body of the council observed set days and hours for their meeting, and came not else together except specially summoned.

But, as I said before, the weight and the envy of all great matters rested upon the three first. The archbishop, besides the sole disposal of whatsoever concerned the church, which was an envious province, having been from the death of the earl of Portland (at which time he was made commissioner of the treasury) more engaged in the civil business, than I am persuaded he desired to be; and throughout the whole business passionately concerned for the church of Scotland, and so, conversant in those transactions: by all which means, besides that he had usually about him an uncourtly quickness, if not sharpness, and did not sufficiently value what men said or thought of him; a more than ordinary prejudice and uncharitableness was contracted against him; to which the new canons, and the circumstances in making them, made no small addition.

The earl of Strafford had for the space of almost six years entirely governed Ireland, where he had been compelled, upon reason of state, to exercise many acts of power; and had indulged some to his own appetite and passion, as in the cases of the lord chancellor, and the lord Mount-Norris; the first of which was *satis pro imperio;* but the latter, if it had not concerned a person notoriously unloved, and so the more unpitied, would have been thought the most extravagant piece of sovereignty, that in a time of peace had been ever executed by any sub-

ject. When and why he was called out of Ireland to assist in council here, I have touched before. He was a man of too high and severe a deportment, and too great a contemner of ceremony, to have many friends at court, and therefore could not but have enemies enough: he had two that professed it, the earl of Holland, and sir Henry Vane: the first could never forget or forgive a sharp sudden saying of his, (for I cannot call it counsel or advice,) when there had been some difference a few years before between his lordship and the lord Weston, in the managing whereof the earl of Holland was confined to his house, "that the king should do "well to cut off his head:" which had been aggravated (if such an injury were capable of aggravation) by a succession of discountenances mutually performed between them to that time. Sir Henry Vane had not far to look back to the time that the earl had with great earnestness opposed his being made secretary, and prevailed for above a month's delay; which, though it was done with great reason and justice by the earl, on the behalf of an old fellow-servant, and his very [good] friend sir John Coke, (who was to be, and afterwards was, removed to let him in,) yet the justice to the one lessened not the sense of unkindness to the other: after which, or about the same time, (which it may be made the other to be the more virulently remembered,) being to be made earl of Strafford, he would needs in that patent have a new creation of a barony, and was made baron of Raby, a house belonging to sir Henry Vane, and an honour he made account should belong to him too; which was an act of the most unnecessary provocation (though he con-

temned the man with marvellous scorn) that I have known, and I believe was the loss of his head. To these a third adversary (like to be more pernicious than the other two) was added, the earl of Essex, naturally enough disinclined to his person, his power, and his parts, upon some rough carriage of the earl of Strafford's towards the late earl of saint Alban's, to whom he had some piety, [and therefore] openly professed to be revenged. Lastly, he had an enemy more terrible than all the other, and like to be more fatal, the whole Scottish nation, provoked by the declaration he had procured of Ireland, and some high carriage and expressions of his against them in that kingdom. So that he had reason to expect as hard measure from such popular councils as he saw were like to be in request, as all those disadvantages could create towards him. And yet no doubt his confidence was so great in himself, and in the form of justice, (which he could not suspect would be so totally confounded,) that he never apprehended a greater censure than a sequestration from all public employments, in which it is probable he had abundant satiety: and this confidence could not have proceeded (considering the full knowledge he had of his judges) but from a proportionable stock [of], and satisfaction in, his own innocence.

The lord Cottington, though he was a very wise man, yet having spent the greatest part of his life in Spain, and so having been always subject to the unpopular imputation of being of the Spanish faction, indeed was better skilled to make his master great abroad, than gracious at home; and being chancellor of the exchequer from the time of the

dissolution of the parliament in the fourth year, had his hand in many hard shifts for money; and had the disadvantage of being suspected at least a favourer of the papists, (though that religion thought itself nothing beholding to him,) by which he was in great umbrage with the people: and then though he were much less hated than either of the other two, and the less, because there was nothing of kindness between the archbishop and him; and indeed very few particulars of moment could be proved against him: yet there were two objections against him, which rendered him as odious as any to the great reformers; the one, that he was not to be reconciled to, or made use of in, any of their designs; the other, that he had two good offices, without the having of which their reformation could not be perfect: for besides being chancellor of the exchequer, he was likewise master of the wards, and had raised the revenue of that court to the king to be much greater than it had ever been before his administration; and by which husbandry, all the rich families of England, of noblemen and gentlemen, were exceedingly incensed, and even indevoted to the crown, looking upon what the law had intended for their protection and preservation, to be now applied to their destruction; and therefore resolved to take the first opportunity to ravish that jewel out of the royal diadem, though it were fastened there by the known law, upon as unquestionable a right, as the subject enjoyed any thing that was most his own.

The marquis of Hamilton, if he had been then weighed in the scales of the people's hatred, was at that time thought to be in greater danger than

any one of the other; for he had more enemies, and fewer friends, in court or country, than either of the other. His interest in the king's affections was equal, and thought to be superior to any man's; and he had received as envious instances, and marks of those affections. He had more out-faced the law in bold projects and pressures upon the people, than any other man durst have presumed to do, as especially in the projects of wine and iron; about the last of which, and the most gross, he had a sharp contest with the lord Coventry, (who was a good wrestler too,) and at last compelled him to let it pass the seal: the entire profit of which always reverted to himself, and to such as were his pensioners. He had been the sole manager of the business of Scotland till the pacification; the readiest man, though then absent, to advise that pacification, and the most visible author of the breach of it. Lastly, the discoveries between the lord Mackey and David Ramsey, wherein the marquis was accused of designing to make himself king of Scotland, were fresh in many men's memories, and the late passages in that kingdom had revived it in others; so that he might reasonably have expected as ill a presage for himself from those fortunetellers, as the most melancholic of the other: but as he had been always most careful and solicitous for himself, so he was most likely to be apprehensive on his own behalf, and to provide accordingly.

And here I cannot omit a story, which I received from a very good hand, by which his great subtilty and industry for himself may appear, and was indeed as great a piece of art (if it were art) as I believe will be found amongst the modern politicians.

After the calling the council of the peers at York was resolved upon, and a little before the time of their appearance, the marquis came to the king, and with some cloudiness (which was not unnatural) and trouble in his countenance, he desired his majesty to give him leave to travel: the king, surprised, was equally troubled at it, and demanded his reason: he told him, "he well foresaw a storm, in "which his shipwreck was most probable amongst "others; and that he, never having any thing "before his eyes but his majesty's service, or in "his vows, but an entire simple obedience to his "commands, might haply, by his own unskilful-"ness in what was fit by any other rule, be more "obnoxious than other men; and therefore, that, "with his majesty's leave, he would withdraw him-"self from the hazard at least of that tempest." The king, most graciously inclined to him, bad him "be most confident, that though he might "(which he was resolved to do) gratify his people "with any reasonable indulgence, he would never "fail his good servants in that protection which "they had equal reason to expect from him." The marquis with some quickness replied, "that the "knowledge of that gracious disposition in his "majesty was the principle cause that he besought "leave to be absent; and that otherwise he would "not so far desert his own innocence, which he "was sure could be only sullied and discredited with "infirmities and indiscretions, not tainted or de-"faced with design and malice. But (said he) I "know your majesty's goodness will interpose for "me to your own prejudice: and I will rather run "any fortune, from whence I may again return to

" serve you, than be (as I foresee I should be) so " immediate a cause of damage and mischief to so " royal a master." He told him, " that he knew " there were no less fatal arrows aimed at the arch- " bishop of Canterbury and the earl of Strafford " than at himself; and that he had advertised the " first, and advised the last, to take the same " course he meant to secure himself by withdraw- " ing: but (he said) the earl was too great-hearted " to fear, and he doubted the other was too bold to " fly."

The king was much disturbed with the probability and reason of what was said; which the other as soon observing, " There is (said he) one way by " which I might secure myself without leaving the " kingdom, and by which your majesty, as these " times are like to go, might receive some advan- " tage: but it is so contrary to my nature, and will " be so scandalous to my honour in the opinion of " men, that, for my own part, I had rather run my " fortune." His majesty, glad that such an expedient might be found, (as being unwilling to hazard his safety against so much reason as had been spoken, by compelling him to stay; and as unwilling, by suffering him to go, to confess an apprehension that he might be imposed upon,) impatiently asked, " What that way was?" The marquis replied, " That he might endear himself to the other " party by promising his service to them, and seem- " ing to concur with them in opinions and designs; " the which he had reason to believe the principal " persons would not be averse to, in hope that his " supposed interest in his majesty's opinion might " be looked upon as of moment to them for their

" particular recommendations. But (he said) this " he knew would be immediately looked upon with " so much jealousy by other men, and shortly with " that reproach, that he might by degrees be les- " sened even in his majesty's own trust; and " therefore it was a province he had no mind to " undertake:" and so renewed his suit again very earnestly for leave to travel.

The king, for the reasons aforesaid, much delighted with this expedient, and believing likewise, that in truth he might by this means frequently receive animadversions of great use, and having a singular esteem of the fidelity and affection of the marquis, told him positively, " That he should not " leave him; that he was not only contented, but " commanded him to ingratiate himself by any " means with the other people;" and assured him, " that it should not be in any body's power to " infuse the least jealousy of him into his royal " breast." The which resolution his majesty observed so constantly, that the other enjoyed the liberty of doing whatsoever he found necessary for his own behoof; and with wonderful craft and low condescensions to the ends and the appetites of very inferior people, and by seasonable insinuations to several leading persons (of how different inclinations soever) of such particulars as were grateful to them, and seemed to advance their distinct and even contrary interests and pretences, he grew to have no less credit in the parliament, than in the Scottish commissioners; and was with great vigilance, industry, and dexterity, preserved from any public reproach in those charges which served to ruin other men, and which with more reason and

justice might have been applied to him than against any other; and yet for a long time he did not incur the jealousy of the king; to whom he likewise gave many advertisements, which, if there had been persons enough who would have concurred in prevention, might have proved of great use.

In this state and condition were things and persons when the lords came to York to the great council in September; and the first day of their meeting (that the counsel might not seem to arise from them who were resolved to give it, and that the queen might receive the honour of it; who, the king said, had by a letter advised him to it; as his majesty exceedingly desired to endear her to the people) the king declared to them, "that he was "resolved to call a parliament to assemble at "Westminster the third day of November follow-"ing;" which was as soon as was possible. So the first work was done to their hands, and they had now nothing to do but to dispose matters in order against that time, which could not well be done without a more overt conversation with the Scots. For though there was an intercourse made, yet it passed for the most part through hands whom the chief had no mind to trust: as the lord Savile; whom his bitter hatred to the earl of Strafford, and as passionate hope of the presidentship of the north, which the earl had, made applicable to any end; but otherwise a person of so ill a fame, that many desired not to mingle with him. For, besides his no reputation, they begun now to know that he had long held correspondence with the Scots before their coming in, and invited them to enter the kingdom with an army; in order to

which, and to raise his own credit, he had counterfeited the hands of some other lords, and put their names to some undertakings of joining with the Scots; and therefore they were resolved to take that negociation out of his hands, (without drawing any prejudice upon him for his presumption,) which they had quickly an opportunity to do. For the first day of the lords' meeting, a petition is presented to his majesty full of dutiful and humble expressions from the Scots, who well knew their time, and had always (how rough and undutiful soever their actions were) given the king as good and as submissive words as can be imagined. This petition, full of as much submission as a victory itself could produce, (as was urged by some lords,) could not but beget a treaty, and a treaty was resolved on speedily to be at Rippon, a place in the king's quarters: but then, special care was taken, by cautions given to his majesty, that no such ungracious person might be intrusted by him in this treaty as might beget jealousies in the Scots, and so render it fruitless: and therefore the earls of Hertford, Bedford, Pembroke, Salisbury, Essex, Holland, Bristol, and Berkshire, the lords Mandevile, Wharton, Dunsmore, Brook, Savile, Paulet, Howard of Escrick (the lord Say being sick, and so not present at York) were chosen by the king; all popular men, and not one of them of much interest in the court, but only the earl of Holland, who was known to be fit for any counsel that should be taken against the earl of Strafford, who had not amongst them one friend or person civilly inclined towards him.

When these commissioners from the king arrived

at Rippon, there came others from the Scots' army of a quality much inferior, there being not above two noblemen, whereof the lord Lowden was the chief, two or three gentlemen and citizens, and Alexander Henderson their metropolitan, and two or three other clergymen. The Scots applied themselves most particularly to the earls of Bedford, Essex, Holland, and the lord Mandevile, though in public they seemed equally to caress them all; and besides the duty they professed to the king in the most submiss expressions of reverence that could be used, they made great and voluminous expressions "of their affection to the king-"dom and people of England; and remembered "the infinite obligations they had from time to "time received from this nation; especially the "assistance they had from it in their reformation "of religion, and their attaining the light of the "gospel; and therefore as it could never fall into "their hearts to be ungrateful to it, so they hoped "that the good people of England would not enter-"tain any ill opinion of the manner of their coming "into this kingdom at this time in a hostile man-"ner, as if they had the least purpose of doing "wrong to any particular persons, much less to "alter any thing in the government of the king-"dom; protesting, that they had the same tender-"ness of their laws and liberties, and privileges, "as of their own; and that they did hope, as the "oppressions upon their native country, both in "their civil and spiritual rights, had obliged them "to this manner of address to the king, to whom "all access had been denied them by the power of "their enemies; so, that this very manner of their

" coming in might be for the good of this king-
" dom, and the benefit of the subjects thereof, in
" the giving them opportunity to vindicate their
" own liberties and laws; which, though not yet
" so much invaded as those of Scotland had been,
" were enough infringed by those very men who
" had brought so great misery and confusion upon
" that kingdom; and who intended, when they
" had finished their work there, and in Ireland, to
" establish the same slavery in England as they
" had brought upon the other two kingdoms. All
" which would be prevented by the remove of
" three or four persons from about the king;
" whose own gracious disposition and inclinations
" would bountifully provide for the happiness of all
" his dominions, if those ill men had no influence
" upon his counsels."

There was not a man of all the English commissioners to whom this kind of discourse was not grateful enough, and who did not promise to himself some convenience that the alterations which were like to happen might produce. And with those lords with whom they desired to enter into greater confidence, they conferred more openly and particularly, of the three persons towards whom their greatest prejudice was, the archbishop, the earl of Strafford, and the marquis of Hamilton, (for in their whole discourses they seemed equally at least incensed against him, as against either of the other two,) whom they resolved should be removed from the king. They spake in confidence " of the
" excess of the queen's power, which in respect of
" her religion, and of the persons who had most
" interest in her, ought not to prevail so much

" upon the king as it did in all affairs. That the " king could never be happy, nor his kingdoms " flourish, till he had such persons about him in all " places of trust, as were of honour and experience " in affairs, and of good fortunes and interests in " the affections of the people; who would always " inform his majesty that his own greatness and " happiness consisted in the execution of justice, " and the happiness of his subjects; and who are " known to be zealous for the preservation and " advancement of the protestant religion, which " every honest man thought at present to be in " great danger, by the exorbitant power of the " archbishop of Canterbury, and some other bishops " who were governed by him." It was no hard matter to insinuate into the persons with whom they held this discourse, that they were the persons to whom they wished all trust should be communicated, and that they were the very men who they wished should be in most credit about the king; and they concluded that their affections were so great to this kingdom, and that all grievances might be reduced here, that if they might receive present satisfaction in all that concerned themselves, they would not yet return, till provision might likewise be made for the just interest of England, and the reformation of what was amiss there with reference to church and state.

This appeared so hopeful a model to most of the king's commissioners, that having no method prescribed to them to treat in, (and were indeed sent only to hear what the Scots would propose, the king himself then intending to determine what should be granted to them,) they never considered

the truth of any of their allegations, nor desired to be informed of the ground of their proceedings; but patiently hearkened to all they said in public, of which they intended to give an account to the king; and willingly heard all they said in private, and made such use of it as they thought most conduced to their own ends. The Scottish commissioners proposed, "that, for the avoiding the "effusion of Christian blood, there might be some "way found to prevent all acts of hostility on "either side; which could not possibly be done, "except some order was given for the payment of "their army, which was yet restrained to close "and narrow quarters." And the truth is, they were in daily fear that those quarters would have been beaten up, and so the ill courage of their men too easily discovered, who were more taught to sing psalms, and to pray, than to use their arms; their hopes of prevailing being, from the beginning, founded upon an assurance that they should not be put to fight.

There had been in that infamous rout at Newburn two or three officers of quality taken prisoners, who endeavouring to charge the enemy with the courage they ought to do, being deserted by their troops could not avoid falling into the Scots' hands; two of which were Wilmot, who was commissary-general of the horse, and O'Neile, who was major of a regiment; both who were officers of name and reputation, and of good esteem in the court with all those who were incensed against the earl of Strafford, towards whom they were both very indevoted. Those gentlemen were well known to several of the principal commanders in the Scots'

army, (who had served together with them in Holland under the prince of Orange,) and were treated with great civility in their camp; and when the commissioners came to Rippon, they brought them with them, and presented them to the king by his commissioners, to whom they were very acceptable; and did those who delivered them more service by the reports they made of them in the army when they returned to their charges, and in the court, than they could have done by remaining prisoners with them; and contributed very much to the irreconciling the army to the earl of Strafford, who was to command it.

After few days the commissioners returned to the king at York, and gave him an account of what had passed, and of the extraordinary affection of the Scots to his majesty's service; and Wilmot and O'Neile magnified the good discipline and order observed in the army, and made their numbers to be believed much superior to what in truth they were.

Three of the commissioners, and no more, were of the king's council, the earls of Pembroke, Salisbury, and Holland, who were all inspired by the Scots, and liked well all that they pretended to desire. Besides those, the king had nobody to consult with but the lord keeper Finch, the duke of Richmond, the marquis of Hamilton, the earl of Strafford, and sir Harry Vane, principal secretary of state. The first of which, the lord keeper, was obnoxious to so many reproaches, that, though his affection and fidelity was very entire to the king, all his care was to provoke no more enemies, and to ingratiate himself to as many of those who he

perceived were like to be able to protect him, which he knew the king would not be able to do; and towards this he laboured with all industry and dexterity. The duke of Richmond was young, and used to discourse with his majesty in his bedchamber rather than at the council-board, and a man of honour and fidelity in all places; and in no degree of confidence with his countrymen, because he would not admit himself into any of their intrigues. The marquis had leave to be wary, and would give his enemies no new advantages.

Nor indeed was there any man's advice of much credit with the king, but that of the earl of Strafford; who had no reason to declare his opinion upon so nice a subject in the presence of the earl of Holland and sir Harry Vane; and thought there was only one way to be pursued, (which was not to be communicated at the council,) and that was to drive the Scots out of the kingdom by the army: and without considering what was done at the treaty, (which had not yet agreed upon any cessation,) he sent a good party of horse, commanded by major Smith, to fall upon a Scottish quarter in the bishopric of Durham, who defeated two or three of their troops, and took all the officers prisoners, and made it manifest enough that the kingdom might be rid of the rest, if it were vigorously pursued; which the earl of Strafford heartily intended. But Lesley, the Scottish general, complained "that he himself had forborne to make "any such attempt out of respect to the treaty;" and the English commissioners thought themselves neglected and affronted by it. And when it was found that the officer who conducted that enter-

prise was a Roman catholic, it made more noise; and they prevailed with the king to restrain his general from giving out any more such orders.

And the king began so far to dislike the temper of his commissioners, that he thought the parliament itself would be more jealous of his honour, and more sensible of the indignities he suffered by the Scots, than the commissioners appeared to be; and therefore he sent them back to Rippon again to renew the treaty, and to conclude a cessation of arms upon as good terms as they could; so that the Scots' army might not advance into Yorkshire, nor enlarge their quarters any way beyond what they were already possessed of: and this concession being agreed to, they should not enter upon any other particulars, but adjourn the treaty to London; which was the only thing the Scots desired, and without this they could never have brought their designs to pass. When the other lords returned to Rippon, the earl of Pembroke (as a man of a great fortune, and at that time very popular) was sent with two or three other lords to London, with a letter from the king, and a subscription from the lords commissioners of the treaty (which was then more powerful) to borrow two hundred thousand pounds from the city, for the payment of both armies whilst the cessation and treaty should continue; "which they hoped "would quickly be at an end, and the Scots return "into their own country." The city was easily persuaded to furnish the money, to be repaid out of the first that should be raised by the parliament; which was very shortly to meet.

And the commissioners at Rippon quickly agreed

upon the cessation; and undertook to pay fifty thousand pound the month for the support of the Scots' army, when they did assign but thirty thousand pound the month for the king's; taking the Scots' commissioners' word for their musters, which made their numbers so much superior to the other; which two sums amounting to fourscore thousand pound, a sum too great for the kingdom to pay long, as was then generally believed. It was pretended that two months would put an end to the treaty; so that the two hundred thousand pounds, which the city had supplied, would discharge all to the disbanding: and in this hope the king confirmed the cessation, and sent a safe conduct for such commissioners as the Scots should think fit to send to London for the carrying on the treaty.

All which being done, the king and the lords left York, that they might be at London before the beginning of the parliament; the earl of Strafford staying still in the north to put the army into as good a posture as he could, and to suppress the mutinous spirit it was inclined to; and, if it were possible, to dispose that great county (of which he had the entire command) to a better temper towards the king's service, and to a greater indignation towards the Scots; of whom they did not use to have too charitable an opinion. But in both these applications he underwent great mortification; the officers of the army every day asking his leave to repair to London, being chosen to serve in parliament; and when he denied to give them passes, they went away without them: and the gentlemen of the country who had most depended upon him, and been obliged by him, withdrawing their appli-

cation and attendance, and entering into combination with his greatest enemies against him.

It is not to be denied, the king was in very great straits, and had it not in his power absolutely to choose which way he would go; and well foresaw, that a parliament in that conjuncture of affairs would not apply natural and proper remedies to the disease; for though it was not imaginable it would have run the courses it afterwards did, yet it was visible enough he must resign very much to their affections and appetite, (which were not like to be contained within any modest bounds,) and therefore no question his majesty did not think of calling a parliament at first, but was wrought to it by degrees: yet the great council could not but produce the other; where the unskilfulness and passion of some for want of discerning consequences, and a general sharpness and animosity against persons, did more mischief than the power or malice of those who had a formed design of confusion; for without doubt that fire at that time (which did shortly after burn the whole kingdom) might have been covered under a bushel. So as in truth there was no counsel so necessary then, as for the king to have continued in his army, and to have drawn none thither, but such as were more afraid of dishonour than danger; and to have trusted the justice and power of the law with suppressing of tumults, and quieting disorders in his rear.

It is strange, and had somewhat of a judgment from Heaven in it, that all the industry and learning of the late years had been bestowed in finding out and evincing, that in case of necessity any extraordinary way for supply was lawful; and upon that

ground had proceeded when there was no necessity; and now, when the necessity was apparent, money must be levied in the ordinary course of parliament, which was then more unnatural and extraordinary than the other had been; as York must be defended from an enemy within twenty-five miles of it, by money to be given at London six weeks after, and to be gathered in six months. It had been only the season and evidence of necessity that had been questioned; and the view of it in a perspective of state at a distance that no eyes could reach, denied to be ground enough for an imposition: as no man could pull down his neighbour's house because it stood next furze, or thatch, or some combustible matter which might take fire; though he might do it when that combustible matter was really a-fire. But it was never denied that *flagrante bello*, when an enemy had actually invaded the kingdom, and so the necessity both seen and felt, that all men's goods are the goods of the public, to be applied to the public safety, and as carefully to be repaired by the public stock. And it is very probable, (since the factions within, and the correspondence abroad was so apparent, that a parliament then called would do the business of the Scots, and of those who invited them hither,) that if the king had positively declared, that he would have no parliament as long as that army stayed in England, but as soon as they were retired into their own country he would summon one, and refer all matters to their advice, and even be advised by them in the composing the distractions of Scotland: I say, it is probable, that they would either willingly have left the kingdom, or speedily have been compelled;

there being at that time an army in Ireland (as was said before) ready to have visited their own country.

Neither would the indisposition of the king's army (which was begot only by those infusions, that there must of necessity be a parliament, which would prevent farther fighting) have lasted, when they had found those authors confuted; for the army was constituted of good officers, which were more capable of being deceived by their friends, than imposed upon by their enemies; and they had their soldiers in good devotion, and the business of Newburn would rather have been a spur than a bit to all. And it had been much the best course that could have been taken, if, after the fright at Newburn, the king, as well as the earl of Strafford, had made haste to Durham, and kept that post, without staying at York; and after some exemplary justice and disgrace upon the chief officers who were faulty, till the army had recovered their spirits, (which in a very short time it did with shame and indignation enough,) had marched directly against the Scots; by which they would have speedily dispossessed them of their new conquest, and forced them to have run distracted into their own country; as may be reasonably concluded from their behaviour whenever they were assaulted afterwards by the English.

And it is as strange, that the experience of the last summer, when the attendance of so great a number of the nobility (who had no mind to the war, and as little devotion to the court) was the true ground and cause of that ridiculous pacification, did not prevail with the king never to con-

vene the same company to him; which could do him very little good, if they had desired it; and could not but do him more harm than even the worst of them at that time intended to do: for it might very easily have been foreseen, that the calling so many discontented, or disobliged, or disaffected men together, with a liberty to consult and advise, very few whereof had that affection and reverence for the person of the king as they ought to have had, though scarce any of them had at that time that mischief in their hearts which they afterwards discovered against him, or indeed had the least purpose to rebel: I say, the calling such men together could not but make every man much worse than they came, and put worse thoughts into their heads than they brought with them, when the miscarriage as well as the misfortune of the court would be the common argument and discourse; and when they would quickly discern, that it was like to begin every one of their powers to contribute to the destruction, at least to the disgrace, of men they had no kindness for, and most of them great animosity against.

But the king was without the presence and attendance of any man in whose judgment and wisdom he had a full confidence; for the earl of Strafford was at the army; and they who first proposed the calling the peers knew well enough that the king knew parliaments too well to be inclined to call one, if they should propose it; and therefore they proposed another expedient, which he knew not; and so was surprised with the advice, (which he thought could do no harm,) and so gave direction for the issuing out of the writs, before he

enough considered whether it might not in truth produce some mischief he had not well thought of; as he quickly found it. Nor did the Scots themselves resolve to give him more disquiet in the ensuing parliament, than the major part of his great council, that he brought together, resolved to concur with them therein: and with that disposition, which they could never have contracted if they had remained by themselves, they all hastened to the place where they might do the mischief they intended.

The next error to this was, that at the meeting of the great council at York, and before any consent to the treaty at Rippon, there was not a state made, and information given of the whole proceedings in Scotland, and thereupon some debate and judgment by the whole council before the sixteen departed, for their information and instruction: and this had been strangely omitted before at the pacification, insomuch as many who had been employed in that first at the Berkes, and in the last at Rippon, confessed that neither of them (and they were of the prime quality) then did, or ever after, know any thing of the laws and customs of that kingdom (by which they might have judged whether the king had exceeded his just power, or any thing of the matter of fact in the several transactions) but what they had received at those meetings from the persons who were naturally to make their own defence, and so by accusing others to make their own case the more plausible; in which it could not be expected they would mention any thing for their own disadvantage.

By them they were told "of a liturgy imposed

" upon them by their bishops, contrary [to] or with-
" out act of parliament, with strange circumstances
" of severity and rigour: of some clauses in that
" liturgy, different from that of the church of Eng-
" land;" with pretty smart comments of advice, and animadversion upon those alterations: " of a
" book of canons, in which an extraordinary and
" extravagant power was asserted to the bishops:
" of a high commission court, which exceeded all
" limits, and censured all degrees of men: of the
" insolent speeches of this bishop to that nobleman,
" and of the ill life of another: of their great hu-
" mility and duty to their sacred sovereign, with-
" out whose favour and protection they would not
" live:" and, lastly, " of their several most sub-
" miss addresses, by petition and all other ways,
" to his majesty; being desirous, when their griev-
" ances were but heard, to lay themselves and
" their complaints at his royal feet, and to be
" most entirely disposed by him in such manner,
" as to his wisdom alone should be thought fit:
" but that, by the power and interposition of their
" adversaries, all their supplications had been re-
" jected, and they never yet admitted to be
" heard."

With these and the like artifices our good lords were so wrought upon and transported, that they easily consented to whatsoever was proposed; nor was there any proposition made and insisted on by them at the first or second treaty, which was not for the matter fully consented to: whereas, if their lordships had been fully advertised of the whole truth, (though there had been some inadvertencies and incogitancy in the circumstances of the transac-

tion,) his majesty had full power, by the laws of Scotland then in force, to make that reformation he intended; and all their petitions and addresses had found most gracious acceptance, and received most gracious answers; and that on the contrary, they had invaded all the rights of the crown, altered the government, affronted the magistrates and ministers of justice, and his majesty's own regal authority, with unheard of insolences and contempts; rejected all his offers of grace and pardon, and, without cause or provocation, denounced war against him; besieged and taken the castle of Edinburgh, and other places which held for his majesty; I say, if this had been made as evident to them as surely it might have been made, it is not possible but those noble persons would have preserved themselves from being deluded by them; at least many of the inconveniences which after ensued would have been prevented, if the form and method of their proceedings had been prescribed, or better looked into.

But it must be confessed, that in that conjuncture such necessary evidence and information could very hardly be given: for though it must not be doubted that there were many particular persons of honour of that nation who abhorred the outrages which were committed, and retained within their own breasts very loyal wishes for his majesty's prosperity; yet it cannot be denied that those persons, who by the places they held (of king's advocate, and other offices) ought to have made that information of matter of law, and matter of fact, were themselves the most active promoters of the rebellion; and the defection, as to any declaration

on his majesty's behalf, was so general, that they who were not corrupted in their inward fidelity were so terrified, that they durst not appear in any office that might provoke those who solely had the power and the will to destroy them.

The last and most confounding error was the removing the treaty to London, and upon any terms consenting that the Scottish commissioners should reside there before a peace concluded. By which means, they had not only opportunity to publish all their counsels and directions in their sermons to the people, (who resorted thither in incredible numbers,) and to give their advice, from time to time, to those of the English who knew not so well yet to compass their own ends, but were ready (when any business was too big and unwieldy to be managed by the few who were yet throughly engaged) to interpose in the name of their nation, and, with reference to things or persons, to make such demands from and on the behalf of the kingdom of Scotland, as under no other style would have received any countenance: and this brought that universal terror with it (as will appear to the life in the process of this relation) upon those of nearest relation to the king's service, as well as those at a greater distance, who clearly discerned and detested the villainy and wickedness of those transactions, that their wariness and wisdom could not be great enough to preserve them, if they did not stupidly look on without seeming to understand what they could in no degree control or prevent.

In all conspiracies there must be great secresy, consent, and union; yet it can hardly be conceived,

with what entire confidence in each other the numerous proud and indigent nobility of Scotland (for of the common people, who are naturally slaves to the other, there can be no wonder) concurred in the carrying on this rebellion: their strange condescension and submission to their ignorant and insolent clergy, who were to have great authority, because they were to inflame all sorts of men upon the obligations of conscience; and in order thereunto, and to revenge a little indiscretion and ill manners of some of the bishops, had liberty to erect a tribunal the most tyrannical over all sorts of men, and in all the families of the kingdom: so that the preacher reprehended the husband, governed the wife, chastised the children, and insulted over the servants, in the houses of the greatest men. They referred the managery and conduct of the whole affair to a committee of a few, who had never before exercised any office or authority in the public, with that perfect resignation and obedience, that nobody presumed to inquire what was to be done, or to murmur at or censure any thing that was done; and the general himself, and the martial affairs, were subject to this regimen and discipline as well as the civil: yet they who were intrusted with this superiority, paid all the outward respect and reverence to the person of the general, as if the sole power and disposal had been in him alone.

The few English (for there were yet but very few who were intrusted from the beginning of the enterprise, and with all that was then projected) were men of reserved and dark natures, of great industry and address, and of much reputation for

probity and integrity of life, and who trusted none but those who were contented to be trusted to that degree as they were willing to trust them, without being inquisitive into more than they were ready to communicate, and for the rest depended upon their discretion and judgment; and so prepared and disposed, by second and third hands, many to concur and contribute to many preparatory actions, who would never have consented to those conclusions which naturally resulted from those premises.

This united strength, and humble and active temper, was not encountered by an equal providence and circumspection in the king's councils, or an equal temper and dutiful disposition in the court; nor did they, who resolved honestly and stoutly to discharge the offices of good servants and good subjects to the utmost opposition of all unlawful attempts, communicate their purposes to men of the same integrity, that so they might unite their counsels as well in the manner and way, as their resolutions in the end. But every one thought it enough to preserve his own innocence, and to leave the rest to those who should have authority to direct. The king was perplexed and irresolute, and, according to his natural constitution, (which never disposed him to jealousy of any man of whom he had once thought well,) was full of hope, that his condition was not so bad as it seemed to be. The queen, how much troubled soever, wished much better to the earl of Holland, than to the archbishop, or the earl of Strafford, neither of them being in any degree acceptable to her; so that she was little concerned for the danger

that threatened them: but when she saw the king's honour and dignity invaded in the prosecution, she withdrew her favour from the earl of Holland: but then she was persuaded, by those who had most credit with her, to believe, that, by the removal of the great ministers, her power and authority would be increased, and that the prevailing party would be willing to depend upon her; and that, by gratifying the principal persons of them with such preferments as they affected, she would quickly reconcile all ill humours; and so she hearkened to any overtures of that kind; which were always carried on without the consent or privity of those who were concerned, who in truth more disliked her absolute power with the king, than any other excess of the court, and looked upon it as the greatest grievance. Every man there considered only what application would be most like to raise his own fortune, or to do him harm with whom he was angry, and gave himself wholly up to those artifices which might promote either. To preserve themselves from the displeasure and censure of the parliament, and to render themselves gracious to those who were like to be powerful in it, was all men's business and solicitude. And in this very unequal and disproportioned condition and temper, was the king's and the Scottish army, the court and the country, when the parliament met.

THE END OF THE SECOND BOOK.

THE

HISTORY

OF THE

REBELLION, &c.

BOOK III.

THE parliament met upon the third of November, 1640, with a fuller appearance than could be reasonably expected, from the short time for elections after the issuing out of the writs; insomuch as at the first [not] many members were absent. It had a sad and a melancholic aspect upon the first entrance, which presaged some unusual and unnatural events. The king himself did not ride with his accustomed equipage nor in his usual majesty to Westminster, but went privately in his barge to the parliament stairs, and so to the church, as if it had been to a return of a prorogued or adjourned parliament. And there was likewise an untoward, and in truth an unheard of accident, which brake many of the king's measures, and infinitely disordered his service beyond a capacity of reparation. From the time the calling a parliament was resolved upon, the king designed sir Thomas Gardiner, who was recorder of London, to be speaker in the house of commons; a man of

gravity and quickness, that had somewhat of authority and gracefulness in his person and presence, and in all respects equal to the service. There was little doubt but that he would be chosen to serve in one of the four places for the city of London, which had very rarely rejected their recorder upon that occasion; and lest that should fail, diligence was used in one or two other places that he might be elected. The opposition was so great, and the faction so strong, to hinder his being elected in the city, that four others were chosen for that service, without hardly mentioning his name: nor was there less industry used to prevent his being chosen in other places; clerks were corrupted not to make out the writ for one place, and ways were found to hinder the writ from being executed in another, time enough for the return before the meeting: so great a fear there was, that a man of entire affections to the king, and of prudence enough to manage those affections, and to regulate the contrary, should be put into that chair. So that the very morning the parliament was to meet, and when the king intended to go thither, he was informed, that sir Thomas Gardiner was not returned to serve as a member in the house of commons, and so was not capable of being chosen to be speaker; so that his majesty deferred his going to the house till the afternoon, by which time he was to think of another speaker.

Upon the perusal of all the returns into the crown office, there were not found many lawyers of eminent name, (though many of them proved very eminent men afterwards,) or who had served long in former parliaments, the experience whereof was

to be wished; and men of that profession had been always thought the most proper for that service, and the putting it out of that channel at that time was thought too hazardous; so that, after all the deliberation that time would admit, Mr. Lenthall, a bencher of Lincoln's Inn,* (a lawyer of competent practice, and no ill reputation for his affection to the government both of church and state,) was pitched upon by the king, and with very great difficulty rather prevailed with than persuaded to accept the charge. And no doubt a worse could not have been deputed of all that profession who were then returned; for he was a man of a very narrow, timorous nature, and of no experience or conversation in the affairs of the kingdom, beyond what the very drudgery in his profession (in which all his design was to make himself rich) engaged him in. In a word, he was in all respects very unequal to the work; and not knowing how to preserve his own dignity, or to restrain the license and exorbitance of others, his weakness contributed as much to the growing mischiefs, as the malice of the principal contrivers. However, after the king had that afternoon commended the distracted condition of the kingdom (with too little majesty) to the wisdom of the two houses of parliament, to have such reformation and remedies applied as they should think fit, proposing to them, as the best rule for their counsels, "that all things should be "reduced to the practice of the time of queen "Elizabeth;" the house of commons no sooner returned to their house, than they chose Mr. Lenthall to be their speaker; and two days after, with the usual ceremonies and circumstances, presented

him to the king, who declared his acceptation; and so both houses were ready for their work.

There was observed a marvellous elated countenance in most of the members of parliament before they met together in the house; the same men who six months before were observed to be of very moderate tempers, and to wish that gentle remedies might be applied, without opening the wound too wide, and exposing it to the air, and rather to cure what was amiss than too strictly to make inquisition into the causes and original of the malady, talked now in another dialect both of things and persons. Mr. Hyde, who was returned to serve for a borough in Cornwall, met Mr. Pym in Westminster-hall some days before the parliament, and conferring together upon the state of affairs, the other told him, Mr. Hyde, "that they must now "be of another temper than they were the last "parliament; that they must not only sweep the "house clean below, but must pull down all the "cobwebs which hung in the top and corners, that "they might not breed dust, and so make a foul "house hereafter; that they had now an opportu-"nity to make their country happy, by removing "all grievances, and pulling up the causes of them "by the roots, if all men would do their duties;" and used much other sharp discourse to him to the same purpose: by which it was discerned, that the warmest and boldest counsels and overtures would find a much better reception than those of a more temperate allay; which fell out accordingly: and the very first day they met together, in which they could enter upon business, Mr. Pym, in a long, formed discourse, lamented the miserable state and

condition of the kingdom, aggravated all the particulars which had been done amiss in the government, as "done and contrived maliciously, and "upon deliberation, to change the whole frame, "and to deprive the nation of all the liberty and "property which was their birthright by the laws "of the land, which were now no more considered, "but subjected to the arbitrary power of the privy-"council, which governed the kingdom according "to their will and pleasure; these calamities fall-"ing upon us in the reign of a pious and virtuous "king, who loved his people, and was a great lover "of justice." And thereupon enlarging in some specious commendation of the nature and goodness of the king, that he might wound him with less suspicion, he said, "We must inquire from what "fountain these waters of bitterness flowed; what "persons they were who had so far insinuated "themselves into his royal affections, as to be able "to pervert his excellent judgment, to abuse his "name, and wickedly apply his authority to coun-"tenance and support their own corrupt designs. "Though he doubted there would be many found "of this classis, who had contributed their joint "endeavours to bring this misery upon the nation; "yet he believed there was one more signal in that "administration than the rest, being a man of "great parts and contrivance, and of great indus-"try to bring what he designed to pass; a man, "who in the memory of many present had sat in "that house an earnest vindicator of the laws, and "a most zealous assertor and champion for the "liberties of the people; but that it was long since "he turned apostate from those good affections,

" and, according to the custom and nature of apo-
" states, was become the greatest enemy to the
" liberties of his country, and the greatest pro-
" moter of tyranny that any age had produced;"
and then named " the earl of Strafford, lord lieu-
" tenant of Ireland, and lord president of the
" council established in York, for the northern
" parts of the kingdom: who, he said, had in both
" places, and in all other provinces wherein his
" service had been used by the king, raised ample
" monuments of his tyrannical nature; and that he
" believed, if they took a short survey of his actions
" and behaviour, they would find him the principal
" author and promoter of all those counsels which
" had exposed the kingdom to so much ruin:" and
so instanced some high and imperious actions done
by him in England and in Ireland, some proud and
over-confident expressions in discourse, and some
passionate advices he had given in the most secret
councils and debates of the affairs of state; adding
some lighter passages of his vanity and amours;
that they who were not inflamed with anger and
detestation against him for the former, might have
less esteem and reverence for his prudence and
discretion: and so concluded, " That they would
" well consider how to provide a remedy propor-
" tionable to the disease, and to prevent the far-
" ther mischiefs which they were to expect from
" the continuance of this great man's power and
" credit with the king, and his influence upon his
" counsels."

From the time that the earl of Strafford was named, most men believed that there would be some committee named to receive information of

all his miscarriages, and that, upon report thereof, they would farther consider what course to take in the examination and prosecution thereof: but they had already prepared and digested their business to a riper period.

Mr. Pym had no sooner finished his discourse, than sir John Clotworthy (a gentleman of Ireland, and utterly unknown in England, who was, by the contrivance and recommendation of some powerful persons, returned to serve for a borough in Devonshire, that so he might be enabled to act this part against the lord lieutenant) made a long and confused relation "of his tyrannical carriage in that "kingdom; of the army he had raised there to "invade Scotland; how he had threatened the "parliament, if they granted not such supplies as "he required; of an oath he had framed to be "administered to all the Scottish nation which in-"habited that kingdom, and his severe proceedings "against some persons of quality who refused to "take that oath; and that he had with great pride "and passion publicly declared at his leaving that "kingdom, If ever he should return to that sword, "he would not leave a Scottish-man to inhabit in "Ireland:" with a multitude of very exalted expressions, and some very high actions in his administration of that government, in which the lives as well as the fortunes of men had been disposed of out of the common road of justice: all which made him to be looked upon as a man very terrible, and under whose authority men would not choose to put themselves.

Several other persons appearing ready to continue the discourse, and the morning being spent, so that,

according to the observation of parliament hours, the time of rising being come, an order was suddenly made, "that the door should be shut, and "nobody suffered to go out of the house;" which had been rarely practised: care having been first taken to give such advertisement to some of the lords, that that house might likewise be kept from rising; which would very much have broken their measures.

Then sir John Hotham, and some other Yorkshire men, who had received some disobligation from the earl in the country, continued the invective, mentioning many particulars of his imperious carriage, and that he had, in the face of the country, upon the execution of some illegal commission, declared, "that they should find the little finger of "the king's prerogative heavier upon them than "the loins of the law;" which expression, though upon after-examination it was found to have a quite contrary sense, marvellously increased the passion and prejudice towards him.

In conclusion, after many hours of bitter inveighing, and ripping up the course of his life before his coming to court, and his actions after, it was moved, according to the secret resolution taken before, "that he might be forthwith impeached of high "treason;" which was no sooner mentioned, than it found an universal approbation and consent from the whole [house]: nor was there, in the whole debate, one person who offered to stop the torrent by any favourable testimony concerning the earl's carriage, save only that the lord Falkland, (who was very well known to be far from having any kindness for him,) when the proposition was made

for the present accusing him of high treason, modestly desired the house to consider, "Whether it "would not suit better with the gravity of their "proceedings, first to digest many of those par- "ticulars, which had been mentioned, by a com- "mittee? declaring himself to be abundantly satis- "fied that there was enough to charge him before "they sent up to accuse him:" which was very ingenuously and frankly answered by Mr. Pym, "That such a delay might probably blast all their "hopes, and put it out of their power to proceed "farther than they had done already; that the "earl's power and credit with the king, and with "all those who had most credit with king or queen, "was so great, that when he should come to know "that so much of his wickedness was discovered, "his own conscience would tell him what he was "to expect; and therefore he would undoubtedly "procure the parliament to be dissolved, rather "than undergo the justice of it, or take some other "desperate course to preserve himself, though with "the hazard of the kingdom's ruin: whereas, if "they presently sent up to impeach him of high "treason before the house of peers, in the name "and on the behalf of all the commons of England, "who were represented by them, the lords would "be obliged in justice to commit him into safe "custody, and so sequester him from resorting to "council, or having access to his majesty: and "then they should proceed against him in the usual "form with all necessary expedition."

To those who were known to have no kindness for him, and seemed to doubt whether all the particulars alleged, being proved, would amount to high treason, it was alleged, "That the house of

" commons were not judges, but only accusers, and " that the lords were the proper judges whether " such a complication of enormous crimes in one " person did not amount to the highest offence the " law took notice of, and therefore that it was fit " to present it to them." These reasons of the haste they made, so clearly delivered, gave that universal satisfaction, that, without farther considering the injustice and unreasonableness of it, they voted unanimously, (for aught appeared to the contrary by any avowed contradiction,) " That they " would forthwith send up to the lords, and accuse " the earl of Strafford of high treason, and several " other crimes and misdemeanours, and desire that " he might be presently sequestered from [the] " council, and committed to safe custody;" and Mr. Pym was made choice of for the messenger to perform that office. And this being determined, the doors were opened, and most of the house accompanied him on the errand.

It was about three of the clock in the afternoon, when the earl of Strafford, (being infirm, and not well disposed in his health, and so not having stirred out of his house that morning,) hearing that both houses still sat, thought fit to go thither. It was believed by some (upon what ground was never clear enough) that he made that haste then to accuse the lord Say, and some others, of having induced the Scots to invade the kingdom: but he was scarce entered into the house of peers, when the message from the house of commons was called in, and when Mr. Pym at the bar, and in the name of all the commons of England, impeached Thomas earl of Strafford (with the addition of all his other

titles) of high treason, and several other heinous crimes and misdemeanours, of which he said the commons would in due time make proof in form; and in the mean time desired in their name, that he might be sequestered from all councils, and be put into safe custody; and so withdrawing, the earl was, with more clamour than was suitable to the gravity of that supreme court, called upon to withdraw, hardly obtaining leave to be first heard in his place, which could not be denied him.

And he then lamented "his great misfortune to "lie under so heavy a charge; professed his inno- "cence and integrity, which he made no doubt he "should make appear to them; desired that he "might have his liberty, until some guilt should be "made appear; and desired them to consider, what "mischief they should bring upon themselves, if "upon such a general charge, without the mention "of any one crime, a peer of the realm should be "committed to prison, and so deprived of his place "in that house, where he was summoned by the "king's writ to assist in their counsel; and of what "consequence such a precedent might be to their "own privilege and birthright:" and then withdrew. And with very little debate the peers resolved "that he should be committed to the custody of "the gentleman usher of the black-rod, there to "remain until the house of commons should bring "in a particular charge against him:" which determination of the house was pronounced to him at the bar upon his knees, by the lord keeper of the great seal, upon the woolsack: and so being taken away by Maxwell, gentleman usher, Mr. Pym was called in, and informed what the house had done;

after which (it being then about four of the clock) both houses adjourned till the next day.

When this work was so prosperously over, they began to consider, that notwithstanding all the industry that had been used to procure such members to be chosen, or returned though not chosen, who had been most refractory to the government of the church and state; yet that the house was so constituted, that when the first heat (which almost all men brought with them) should be a little allayed, violent counsels would not be long hearkened to: and therefore, as they took great care by their committee of elections to remove as many of those members as they suspected not to be inclinable to their passions upon pretence "that they were "not regularly chosen," that so they might bring in others more compliable in their places; in which no rules of justice was so much as pretended to be observed by them; insomuch as it was often said by leading men amongst them, "That they ought "in those cases of elections to be guided by the "fitness and worthiness of the person, whatever "the desire of those was, in whom the right of "election remained;" and therefore one man hath been admitted upon the same rule by which another hath been rejected: so they declared, "That no "person, how lawfully and regularly soever chosen "and returned, should be and sit as a member with "them, who had been a party or a favourer of any "project, or who had been employed in any illegal "commission."

And by this means (contrary to the custom and rights of parliament) many gentlemen of good quality were removed, in whose places commonly others

were chosen of more agreeable dispositions: but in this likewise there was no rule observed; for no person was hereby removed, of whom there was any hope that he might be applied to the violent courses which were intended. Upon which occasion the king charged them in one of his declarations, "that "when, under that notion of projectors, they ex- "pelled many, they yet never questioned sir Henry "Mildmay, or Mr. Laurence Whitaker;" who had been most scandalously engaged in those pressures, though since more scandalously in all enterprises against his majesty; to which never any answer or reply was made.

The next art was to make the severity and rigour of the house as formidable as was possible, and to make as many men apprehend themselves obnoxious to the house, as had been in any trust or employment in the kingdom. Thus they passed many general votes concerning ship-money, in which all who had been high sheriffs, and so collected it, were highly concerned. The like sharp conclusions [were made] upon all lords lieutenants and their deputies, which were the prime gentlemen of quality in all the counties of England. Then upon some disquisition of the proceedings in the star-chamber, and at the council-table, all who concurred in such a sentence, and consented to such an order, were declared criminous, and to be proceeded against. So that, in a moment, all the lords of the council, all who had been deputy lieutenants, or high sheriffs, during the late years, found themselves within the mercy of these grand inquisitors: and hearing new terms of art, that a complication of several misdemeanours might grow up to treason, and the

like, it was no wonder if men desired by all means to get their favour and protection.

When they had sufficiently startled men by these proceedings, and upon half an hour's debate sent up an accusation against the lord archbishop of Canterbury of high treason, and so removed him likewise from the king's council, they rested satisfied with their general rules, votes, and orders, without making haste to proceed either against things or persons; being willing rather to keep men in suspense, and to have the advantage of their fears, than, by letting them see the worst that could befall them, lose the benefit of their application. For this reason they used their utmost skill to keep off any debate of ship-money, that that whole business might hang like a meteor over the heads of those that were in any degree faulty in it; and it was observable, when, notwithstanding all their diversions, that business was brought into debate, and upon that (which could not be avoided) the lord Finch named as an avowed factor and procurer of that odious judgment; who, if their rule were true, "that an endeavour to alter the government by law, "and to introduce an arbitrary power, were trea-"son," was the most notoriously and inexcusably guilty of that crime of any man that could be named; before they would endure the mention of an accusation of high treason, they appointed a committee, with great deliberation and solemnity, to bring in a charge formally prepared, (which had not been done in the case of the lord archbishop, or the earl of Strafford,) and then gave him a day to be heard for himself at the house of commons' bar, and so, against all order, to take notice of what was handled

in the house concerning him; and then finding that, by their own rules, he would be likewise accused of high treason, they continued the debate so long, that the lords' house was risen, so that the accusation was not carried up till the next morning; and before that time, the lord keeper (being well informed of all that had passed) had withdrawn himself; and shortly after went into Holland: the lord Littleton, then chief justice of the court of common pleas, being made keeper of the great seal of England in his place.

About the same time, sir Francis Windebank, one of the principal secretaries of state, and then a member of the house of commons, was accused of many transactions on the behalf of the papists, of several natures, (whose extraordinary patron indeed he was,) and he being then present in the house, several warrants under his own hand were produced for the discharge of prosecutions against priests, and for the release of priests out of prison: whereupon, whilst the matter should be debated, according to custom he was ordered to withdraw, and so went into the usual place, the committee-chamber; immediately whereupon, the house of commons went to a conference with the lords upon some other occasion, and returning from that conference, no more resumed the debate of the secretary; but having considered some other business, rose at their usual hour; and so the secretary had liberty to go to his own house; from whence, observing the disposition of the house, and well knowing what they were able to say against him, he had no more mind to trust himself in that company, but the same night withdrew himself from any place where

inquiry might be made for him, and was no more heard of till the news came of his being landed in France.

So that within less than six weeks, for no more time was yet elapsed, these terrible reformers had caused the two greatest counsellors of the kingdom, and whom they most feared, and so hated, to be removed from the king, and imprisoned, under an accusation of high treason; and frighted away the lord keeper of the great seal of England, and one of the principal secretaries of state, into foreign kingdoms, for fear of the like; besides the preparing all the lords of the council, and very many of the principal gentlemen throughout England, who (as was said before) had been high sheriffs, and deputy lieutenants, to expect such measure of punishment from their general votes and resolutions, as their future demeanour should draw upon them, for their past offences; by which means, they were like to find no very vigorous resistance or opposition in their farther designs.

I could never yet learn the reason why they suffered secretary Windebank to escape their justice, (for the lord Finch, it was visible he was in their favour, and they would gladly have preserved him in the place,) against whom they had more pregnant testimony of offences within the verge of the law, than against any person they have accused since this parliament, and of some that, it may be, might have proved capital, and so their appetite of blood might have been satisfied: for, besides his frequent letters of intercession in his own name, and signification of his majesty's pleasure,

on the behalf of papists and priests, to the judges, and to other ministers of justice; and protections granted by himself to priests, that nobody should molest them; he harboured some priests in his own house, knowing them to be such; which, by the statute made in the twenty-ninth year of queen Elizabeth, is made felony: and there were some warrants under his own hand for the release of priests out of Newgate, who were actually attainted of treason, and condemned to be hanged, drawn, and quartered; which, by the strict letter of the statute, the lawyers said, would have been very penal to him.

I remember one story brought into the house concerning him, that administered some mirth: A messenger, (I think his name was Newton,) who principally intended the service of apprehending priests, came one day to him in his garden, and told him, "that he had brought with him a priest, "a stirring and active person, whom he had appre- "hended that morning; and desired to know to "what prison he should carry him." The secretary sharply asked him, "Whether he would never "give over this bloodthirsty humour?" and in great anger calling him knave, and taking the warrant from him by which he had apprehended him, departed without giving any other direction. The messenger, appalled, thought the priest was some person in favour, and therefore took no more care of him, but suffered him to depart. The priest, freed from this fright, went securely to his lodgings, and within two or three days was arrested for debt, and carried in execution to prison. Shortly after, secretary Windebank sent for the

messenger, and asked him, "What was become of "the priest he had at such a time brought before "him?" He told him, "that he conceived his "honour had been offended with the apprehension "of him, and therefore he had looked no farther "after him." The secretary in much passion told him, "the discharging a priest was no light matter; "and that if he speedily found him not, he should "answer the default with his life; that the priest "was a dangerous fellow, and must not escape in "that fashion." The messenger, besides his natural inclination to that exercise, terrified with those threats, left no means untried for the discovery, and at last heard where the man was in execution in prison: thither he went, and demanded the priest (who was not there known to be such) as his prisoner formerly, and escaped from him; and by virtue of his first warrant took him again into his custody, and immediately carried him to the secretary; and within few days after, the priest was discharged, and at liberty. The jailor, in whose custody he had been put for debt, was arrested by the parties grieved, and he again sued the messenger, who appealed for justice to the house of commons against the secretary.

And this case had been presented to the committee, and was ready to be reported, with all those warrants under his own hand before mentioned, at the time when secretary Windebank was in the house. Besides that, he was charged by the lords, by message or at a conference, for the breach of privilege at the dissolution of the last parliament, and signing warrants for the searching the studies and

papers of some members; for which, according to the doctrine then received, he might have been put into the custody of the sergeant of the house. But as the last occasion was not laid hold of, because it would have inevitably involved his brother secretary, sir Harry Vane, who was under the same charge, and against whom indeed that charge was aimed: so, it seems, they were contented he should make an escape from any trial for the rest; either, because they thought his place would be sooner void by his flight than by his trial, which would have taken up some time, and required some formality, they [having] designed that place to Mr. Hollis; or, that they thought he would, upon any examination, draw in somewhat to the prejudice of sir Henry Vane, whom they were to protect: and so they were well content with his escape; so the house deferred the farther debate till the next morning, before which time he chose to retire, and transported himself into France.

Having made their first entrance upon business with this vigour, they proceeded every day with the same fervour; and he who expressed most warmth against the court and the government, was heard with the more favour; every day producing many formed elaborate orations against all the acts of state which had been done for many years preceding. That they might hasten the prosecution of the earl of Strafford, which was their first great design, they made a close committee of such members as they knew to be most for their purpose, who should, under an obligation of secrecy, prepare the heads of a charge against him; which had been never heard of before in parliament: and

that they might be sure to do their business effectually, they sent a message to the house of peers, to desire them "to nominate a select committee "likewise of a few, to examine upon oath such "witnesses, as the committee of the house of "commons for preparing the charge against the "earl of Strafford should produce before them, "and in their presence, and upon such interroga-"tories as they should offer;" which, though it was without precedent or example, the lords presently consented to, and named such men as knew well what they had to do. Then they caused petitions to be every day presented, by some who had been grieved by any severe sentences in the star-chamber, or committed by the lords of the council, against lords lieutenants of counties, and their deputy lieutenants, for having levied money upon the country, for conducting and clothing of soldiers, and other actions of a martial nature, (which had been always done by those officers so qualified, from the time of queen Elizabeth, and was practised throughout her reign,) and against sheriffs, for having levied ship-money. Upon all which petitions (the matter being pressed and aggravated still upon every particular by some member of note and authority, upon which) all the acts how formal and judicial soever, and without so much as hearing the sentences or judgments read, were voted "to be illegal, and against the liberty and property "of the subject; and that all who were guilty of "such proceedings should be proceeded against "for their presumption, and should likewise pay "damages to the persons injured."

By which general votes (all passed within three

or four days after the sitting of the parliament) they had made themselves so terrible, that all privy-counsellors, as well for what they had done at the board, as in the star-chamber; (where indeed many notable sentences had passed, with some excess in the punishment;) all lords lieutenants, who for the most part were likewise counsellors, whereof all were of the house of peers; and then all who were deputy lieutenants, or had been sheriffs since the first issuing out of writs for the collection of ship-money, whereof very many were then of the house of commons; found themselves involved under some of those votes, and liable to be proceeded against upon the first provocation; whereby they were kept in such awe, both in the one house and the other, as if they were upon their good behaviour, that they durst not appear to dislike, much less to oppose, whatsoever they proposed.

All persons imprisoned for sedition by the star-chamber upon the most solemn examination and the most grave deliberation, were set at liberty, that they might prosecute their appeals in parliament. In the mean time, though there were two armies in the bowels of the kingdom, at the monthly expense of no less than one hundred and fifty thousand pounds, care was taken only to provide money to pay them, without the least mention that the one should return into Scotland, and the other be disbanded, that so that vast expense might be determined: but, on the contrary, frequent insinuations were given, "that many great things were "first to be done before the armies disband;" only they desired the king "that all papists might

" be forthwith cashiered out of his army," which his majesty could not deny; and so some officers of good account were immediately dismissed.

It will not be impertinent nor unnatural to this present discourse, to set down in this place the present temper and constitution of both houses of parliament, and of the court itself, that it may be the less wondered at, that so prodigious an alteration should be made in so short a time, and the crown fallen so low, that it could neither support itself and its own majesty, nor them who would appear faithful to it.

Of the house of peers, the great contrivers and designers were—The earl of Bedford, a wise man, and of too great and plentiful a fortune to wish a subversion of the government; and it quickly appeared, that he only intended to make himself and his friends great at court, not at all to lessen the court itself.

The lord viscount Say, a man of a close and reserved nature, of a mean and a narrow fortune, of great parts, and of the highest ambition, but whose ambition would not be satisfied with offices and preferment, without some condescensions and alterations in ecclesiastical matters. He had for many years been the oracle of those who were called puritans in the worst sense, and steered all their counsels and designs. He was a notorious enemy to the church, and to most of the eminent churchmen, with some of whom he had particular contests. He had always opposed and contradicted all acts of state, and all taxes and impositions, which were not exactly legal, and so had as eminently and as obstinately refused the payment of

ship-money as Mr. Hambden had done; though the latter, by the choice of the king's council, had brought his cause to be first heard and argued, with which judgment that was intended to conclude the whole right in that matter, and to overrule all other cases. The lord Say would not acquiesce, but pressed to have his own case argued, and was so solicitous in person with all the judges, both privately at their chambers, and publicly in the court at Westminster, that he was very grievous to them. His commitment at York the year before, because he refused to take an oath, or rather subscribe a protestation, against holding intelligence with the Scots, when the king first marched against them, had given him much credit. In a word, he had very great authority with all the discontented party throughout the kingdom, and a good reputation with many who were not [discontented,] who believed him to be a wise man and of a very useful temper, in an age of license, and one who would still adhere to the law.

The lord Mandevile, eldest son to the lord privy-seal, was a person of great civility, and very well bred, and had been early in the court under the favour of the duke of Buckingham, a lady of whose family he had married: he had attended upon the prince when he was in Spain, and had been called to the house of peers in the lifetime of his father, [by the name of the lord Kimbolton,] which was a very extraordinary favour. Upon the death of the duke of Buckingham, his wife being likewise dead, he married the daughter of the earl of Warwick; a man in no grace at court, and looked upon as the greatest patron of the puritans, because of much

the greatest estate of all who favoured them, and so was esteemed by them with great application and veneration: though he was of a life very licentious, and unconformable to their professed rigour, which they rather dispensed with, than to withdraw from a house where they received so eminent a protection, and such notable bounty. From this latter marriage the lord Mandevile totally estranged himself from the court, and upon all occasions appeared enough to dislike what was done there, and engaged himself wholly in the conversation of those who were most notoriously of that party, whereof there was a kind of fraternity of many persons of good condition, who chose to live together in one family, at a gentleman's house of a fair fortune, near the place where the lord Mandevile lived; whither others of that classis likewise resorted, and maintained a joint and mutual correspondence and conversation together with much familiarity and friendship: that lord, to support and the better to improve that popularity, living at a much higher rate than the narrow exhibition allowed to him by his wary father could justify, making up the rest by contracting a great debt, which long lay heavy upon him; by which generous way of living, and by his natural civility, good manners, and good nature, which flowed towards all men, he was universally acceptable and beloved; and no man more in the confidence of the discontented and factious party than he, and [none] to whom the whole mass of their designs, as well what remained in chaos as what was formed, was more entirely communicated, and more consulted with. And therefore these three lords are nominated as the principal agents

in the house of peers, (though there were many there of quality and interest much superior to either of them,) because they were principally and absolutely trusted by those who were to manage all in the house of commons, and to raise that spirit which was upon all occasions to inflame the lords. Yet [it] being enough known and understood, that, how indisposed and angry soever many of them at present appeared to be, there would be still a major part there, who would, if they were not overreached, adhere to the king and the established government, and therefore these three persons were trusted without reserve, and relied upon so to steer, as might increase their party by all the arts imaginable; and they had dexterity enough to appear to depend upon those lords, who were looked upon as greater, and as popular men; and to be subservient to their purposes, whom in truth they governed and disposed of.

And by these artifices, and applications to his vanity, and magnifying the general reputation and credit he had with the people, and sharpening the sense he had of his late ill treatment at court, they fully prevailed [upon], and possessed themselves of, the earl of Essex; who, though he was no good speaker in public, yet, having sat long in parliament, and so well acquainted with the order of it in very active times, he was a better speaker there than any where else, and being always heard with attention and respect, had much authority in the debates. Nor did he need any incitement (which made all approaches to him the more easy) to do any thing against the persons of the lord archbishop of Canterbury and the lord lieutenant

of Ireland, towards whom he professed a full dislike; who were the only persons against whom there was any declared design, and the Scots having in their manifesto demanded justice against those two great men, as the cause of the war between the nations. And in this prosecution there was too great a concurrence; Warwick, Brook, Wharton, Paget, Howard, and some others, implicitly followed and observed the dictates of the lords mentioned before, and started or seconded what they were directed.

In the house of commons were many persons of wisdom and gravity, who being possessed of great and plentiful fortunes, though they were undevoted enough to the court, had all imaginable duty for the king, and affection to the government established by law or ancient custom; and without doubt, the major part of that body consisted of men who had no mind to break the peace of the kingdom, or to make any considerable alteration in the government of church or state: and therefore all inventions were set on foot from the beginning to work on them, and corrupt them, by suggestions "of the "dangers which threatened all that was precious "to the subject in their liberty and their property, "by overthrowing or overmastering the law, and "subjecting it to an arbitrary power, and by coun-"tenancing popery to the subversion of the pro-"testant religion;" and then, by infusing terrible apprehensions into some, and so working upon their fears "of being called in question for some-"what they had done," by which they would stand in need of their protection; and raising the hopes of others, "that, by concurring with them, they

" should be sure to obtain offices, and honours, and " any kind of preferment." Though there were too many corrupted and misled by these several temptations, and others who needed no other temptations than from the fierceness and barbarity of their own natures, and the malice they had contracted against the church and against the court; yet the number was not great of those in whom the government of the rest was vested, nor were there many who had the absolute authority to lead, though there were a multitude that was disposed to follow.

Mr. Pym was looked upon as the man of greatest experience in parliament, where he had served very long, and was always a man of business, being an officer in the exchequer, and of a good reputation generally, though known to be inclined to the puritan party; yet not of those furious resolutions against the church as the other leading men were, and wholly devoted to the earl of Bedford, who had nothing of that spirit.

Mr. Hambden was a man of much greater cunning, and it may be of the most discerning spirit, and of the greatest address and insinuation to bring any thing to pass which he desired, of any man of that time, and who laid the design deepest. He was a gentleman of a good extraction, and a fair fortune, who, from a life of great pleasure and license, had on a sudden retired to extraordinary sobriety and strictness, and yet retained his usual cheerfulness and affability; which, together with the opinion of his wisdom and justice, and the courage he had shewed in opposing the ship-money, raised his reputation to a very great height, not only in Bucking-

hamshire, where he lived, but generally throughout the kingdom. He was not a man of many words, and rarely begun the discourse, or made the first entrance upon any business that was assumed; but a very weighty speaker, and after he had heard a full debate, and observed how the house was like to be inclined, took up the argument, and shortly, and clearly, and craftily, so stated it, that he commonly conducted it to the conclusion he desired; and if he found he could not do that, he never was without the dexterity to divert the debate to another time, and to prevent the determining any thing in the negative, which might prove inconvenient in the future. He made so great a show of civility, and modesty, and humility, and always of mistrusting his own judgment, and of esteeming his with whom he conferred for the present, that he seemed to have no opinions or resolutions, but such as he contracted from the information and instruction he received upon the discourses of others, whom he had a wonderful art of governing, and leading into his principles and inclinations, whilst they believed that he wholly depended upon their counsel and advice. No man had ever a greater power over himself, or was less the man that he seemed to be, which shortly after appeared to every body, when he cared less to keep on the mask.

Mr. Saint-John, who was in a firm and entire conjunction with the other two, was a lawyer of Lincoln's Inn, known to be of parts and industry, but not taken notice of for practice in Westminster-hall, till he argued at the exchequer-chamber the case of ship-money on the behalf of Mr. Hambden; which gave him much reputation, and called him

into all courts, and to all causes, where the king's prerogative was most contested. He was a man reserved, and of a dark and clouded countenance, very proud, and conversing with very few, and those, men of his own humour and inclinations. He had been questioned, committed, and brought into the star-chamber, many years before, with other persons of great name and reputation, (which first brought his name upon the stage,) for communicating some paper among themselves, which some men had a mind at that time to have extended to a design of sedition: but it being quickly evident that the prosecution would not be attended with success, they were all shortly after discharged; but he never forgave the court the first assault, and contracted an implacable displeasure against the church purely from the company he kept. He was of an intimate trust with the earl of Bedford, to whom he was allied, (being a natural son of the house of Bullingbrook,) and by him brought into all matters where himself was to be concerned. It was generally believed, that these three persons, with the other three lords mentioned before, were of the most intimate and entire trust with each other, and made the engine which moved all the rest; yet it was visible, that Nathaniel Fiennes, the second son of the lord Say, and sir Harry Vane, eldest son to the secretary, and treasurer of the house, were received by them with full confidence and without reserve.

The former, being a man of good parts of learning, and after some years spent in New college in Oxford, of which his father had been formerly fellow, (that family pretending and enjoying many privileges there, as of kin to the founder,) had spent his

time abroad, in Geneva and amongst the cantons of Switzerland, where he improved his disinclination to the church, with which milk he had been nursed. From his travels he returned through Scotland (which few travellers took in their way home) at the time when that rebellion was in the bud; and was very little known, except amongst that people, which conversed wholly amongst themselves, until he was now found in parliament, when it was quickly discovered, that as he was the darling of his father, so that he was like to make good whatsoever he had for many years promised.

The other, sir Harry Vane, was a man of great natural parts, and of very profound dissimulation, of a quick conception, and very ready, sharp, and weighty expression. He had an unusual aspect, which, though it might naturally proceed both from his father and mother, neither of which were beautiful persons, yet made men think there was somewhat in him of extraordinary; and his whole life made good that imagination. Within a very short time after he returned from his studies in Magdalen college in Oxford, where, though he was under the care of a very worthy tutor, he lived not with great exactness, he spent some little time in France, and more in Geneva; and, after his return into England, contracted a full prejudice and bitterness against the church, both against the form of the government, and the liturgy, which was generally in great reverence, even with many of those who were not friends to the other. In this giddiness, which then much displeased, or seemed to displease, his father, who still appeared highly conformable, and exceedingly sharp against those who were not, he trans-

ported himself into New England, a colony within few years before planted by a mixture of all religions, which disposed the professors to dislike the government of the church; who were qualified by the king's charter to choose their own government and governors, under the obligation, "that every man "should take the oaths of allegiance and supre- "macy;" which all the first planters did, when they received their charter, before they transported themselves from hence, nor was there in many years after the least scruple amongst them of complying with those obligations; so far men were, in the infancy of their schism, from refusing to take lawful oaths. He was no sooner landed there, but his parts made him quickly taken notice of, and very probably his quality, being the eldest son of a privy-counsellor, might give him some advantage; insomuch that, when the next season came for the election of their magistrates, he was chosen their governor: in which place he had so ill fortune (his working and unquiet fancy raising and infusing a thousand scruples of conscience, which they had not brought over with them, nor heard of before) that he unsatisfied with them, and they with him, he transported himself into England; having sowed such seed of dissension there, as grew up too prosperously, and miserably divided the poor colony into several factions, and divisions, and persecutions of each other, which still continue to the great prejudice of that plantation: insomuch as some of them, upon the ground of their first expedition, liberty of conscience, have withdrawn themselves from their jurisdiction, and obtained other charters from the king, by which, in other forms of government, they

have enlarged their plantation, within new limits adjacent to the other. He was no sooner returned into England, than he seemed to be much reformed in those extravagancies, and, with his father's approbation and direction, married a lady of a good family, and by his father's credit with the earl of Northumberland, who was high admiral of England, was joined presently and jointly with sir William Russel in the office of treasurer of the navy, (a place of great trust and profit,) which he equally shared with the other, and seemed a man well satisfied and composed to the government. When his father received the disobligation from the lord Strafford, by his being created baron of Raby, the house and land of Vane, (and which title he had promised himself, which was unluckily cast upon him, purely out of contempt,) they sucked in all the thoughts of revenge imaginable; and from thence he betook himself to the friendship of Mr. Pym, and all other discontented or seditious persons, and contributed all that intelligence (which will be hereafter mentioned, as he himself will often be) that designed the ruin of the earl, and which grafted him in the entire confidence of those who promoted the same; so that nothing was concealed from him, though it is believed that he communicated his own thoughts to very few.

Denzil Hollis, the younger son and younger brother of the earls of Clare, was as much valued and esteemed by the whole party, as any man; as he deserved to be, being a man of more accomplished parts than any of them, and of great reputation by the part he acted against the court and the duke of Buckingham, in the parliament of the

fourth year of the king, (the last parliament that had been before the short one in April,) and his long imprisonment, and sharp prosecution afterwards, upon that account; of which he retained the memory with acrimony enough. But he would in no degree intermeddle in the counsel or prosecution of the earl of Strafford, (which he could not prevent,) who had married his sister, by whom all his children were, which made him a stranger to all those consultations, though it did not otherwise interrupt the friendship he had with the most violent of those prosecutors. In all other contrivances he was in the most secret counsels with those who most governed, and respected by them with very submiss applications as a man of authority. Sir Gilbert Gerrard, the lord Digby, Strode, Haslerig; and the northern gentlemen, who were most angry with the earl, or apprehensive of their own being in the mercy of the house, as Hotham, Cholmely, and Stapleton; with some popular lawyers of the house, who did not suspect any wickedness in design, and so became involved by degrees in the worst, observed and pursued the dictates and directions of the other, according to the parts which were assigned to them upon emergent occasions: whilst the whole house looked on with wonder and amazement, without one man's interposing to allay the passion and the fury with which so many were transported.

This was the present temper and constitution of both houses of parliament upon their first coming together, when (as Tacitus says of the Jews, "that "they exercised the highest offices of kindness and "friendship towards each other, *et adversus omnes*

"*alios hostile odium*") they watched all those who they knew were not of their opinions, nor like to be, with all possible jealousy; and if any of their elections could be brought into question, they were sure to be voted out of the house, and then all the artifices were used to bring in more sanctified members; so that every week increased the number of their party, both by new elections, and the proselytes they gained upon the old. Nor was it to be wondered at, for they pretended all public thoughts, and only the reformation of disapproved and odious enormities, and dissembled all purposes of removing foundations, which, though it was in the hearts of some, they had not the courage and confidence to communicate it.

The English and the Scottish armies remained quiet in their several quarters in the north, without any acts of hostility, under the obligation of the cessation, which was still prorogued from month to month, that the people might believe that a full peace would be quickly concluded. And the treaty, which during the king's being at York had been held at Rippon, being now adjourned to London, the Scottish commissioners (whereof the earl of Rothes, and the lord Lowden, who hath been mentioned before, were the chief) came thither in great state, and were received by the king with that countenance, which he could not choose but shew to them; and were then lodged in the heart of the city, near London-Stone, in a house which used to be inhabited by the lord mayor or one of the sheriffs, and was situate so near to the church of St. Antholins, (a place in all times made famous by

some seditious lecturer,) that there was a way out of it into a gallery of that church. This benefit was well foreseen on all sides in the accommodation, and this church assigned to them for their own devotions, where one of their own chaplains still preached, amongst which Alexander Henderson was the chief, who was likewise joined with them in the treaty in all matters which had reference to religion: and to hear those sermons there was so great a conflux and resort, by the citizens out of humour and faction; by others of all quality out of curiosity; and by some that they might the better justify the contempt they had of them, that from the first appearance of day in the morning on every Sunday, to the shutting in of the light, the church was never empty. They (especially the women) who had the happiness to get into the church in the morning (they who could not, hung upon or about the windows without, to be auditors or spectators) keeping their places till the afternoon's exercise was finished, which both morning and afternoon, except to palates and appetites ridiculously corrupted, was the most insipid and flat that could be delivered upon any deliberation.

The earl of Rothes had been the chief architect of that whole machine from the beginning, and was a man very well bred, of very good parts, and great address; in his person very acceptable, pleasant in conversation, very free and amorous, and unrestrained in his discourse by any scruples of religion, which he only put on when the part he was to act required it, and then no man could appear more conscientiously transported. There will be

sometimes occasion to mention him hereafter, as already as much hath been said of the other, the lord Lowden, as is yet necessary.

They were no sooner come to the town, but a new committee of the members of both houses, such as were very acceptable to them, was appointed to renew and continue the treaty with them that had been begun at Rippon: and then they published and printed their declaration against the archbishop of Canterbury and the lieutenant of Ireland, in which they said, "That as they did "reserve those of their own country who had been "incendiaries between the two kingdoms to be "proceeded against in their own parliament; "so they desired no other justice to be done "against these two criminal persons but what "should seem good to the wisdom of the par-"liament."

It was easily discerned (by those who saw at any distance, and who had been long jealous of that trick) from that expression concerning *their own countrymen*, that they meant no harm to the marquis of Hamilton, against whom, in the beginning of the rebellion, all their bitterness seemed to be directed, and who indeed of all men had the least portion of kindness or good-will from the three nations, of any man who related to the king's service. But he had, by the friendship he had shewed to the lord Lowden, and procuring his liberty when he was in the Tower for so notorious a treason, and [was] to be in the head of another as soon as he should be at liberty; and by his application and dexterity at York in the meeting of the great council, and with the Scottish commissioners employed

thither before the treaty; and by his promise of future offices and services, which he made good abundantly; procured as well from the English as the Scots all assurance of indemnity: which they so diligently made good, that they were not more solicitous to contrive and find out evidence or information against the other two great men, than they were to prevent all information or complaint, and to stifle all evidence which was offered or could be produced against the marquis.

And they were exceedingly vigilant to prevent the Scottish commissioners entering into any familiarity or conversation with any who were not fast to their party: insomuch as one day the earl of Rothes walking in Westminster-hall with Mr. Hyde, towards whom he had [a] kindness by reason of their mutual friendship with some persons of honour, and they two walking towards the gate to take coach to make a visit together, the earl on a sudden desired the other "to walk towards "the coach, and he would overtake him by the "time he came thither:" but staying very long, he imagined he might be diverted from his purpose, and so walked back into the hall, where presently meeting him, they both pursued their former intention; and being in the coach, the earl told him, "that he must excuse his having made him stay so "long, because he had been detained only con-"cerning him; that when he was walking with "him, a gentleman passing by touched his cloak, "which made him desire the other to go before; "and turning to the other person, he said, that "seeing him walk in some familiarity with Mr. "Hyde, he thought himself obliged to tell him,

" that he walked with the greatest enemy the " Scottish nation had in the parliament, and that " he ought to take heed how he communicated any " thing of importance to him; and that after he " was parted with that gentleman, before he could " pass through the hall, four or five other eminent " men, severally, gave him the same advertisement " and caution;" and then spake as unconcernedly and as merrily of the persons and their jealousy as the other could do. Men who were so sagacious in pursuing their point were not like to miscarry.

The Scotch commissioners were in this time come to London, where they were magnificently entertained; and one of the best houses in the heart of the city assigned for their reception, the neighbour church for their devotion, whither so great a herd flocked on Sundays to hear Mr. Henderson and his fellow-chaplains, that very many came to and sat in the church from the time that it was light, that they might receive the comfort of those lectures, which were not till the afternoon; for in the morning their devotions were private. They were caressed by both houses with all possible expressions of kindness at least, if not of submission; and an order was carefully entered, " that upon all " occasions the appellation should be used of *Our* " *brethren of Scotland;*" and upon that, wonderful kind compliments passed, of a sincere resolution of amity and union between the two nations.

Things being thus constituted, it became them to satisfy the public expectation in the discovery of their new treasons, and in speedy proceeding against those two great persons. For the better

preparing whereof, and facilitating whatever else should be necessary for that enterprise, the Scottish commissioners in the name of that nation presented (as is said before) two distinct declarations, against the persons of the archbishop and the earl of Strafford, stuffed with as much bitterness and virulency as can be imagined, making them "the "odious incendiaries of the differences between the "two nations, and the original causes of all those "calamities in that kingdom which begat those "differences, and most pathetically pressing for "justice against them both." These discourses (for either of them consisted of many sheets of paper) were publicly read in both houses; that against the archbishop of Canterbury was for the present laid aside, and I am persuaded, at that time, without any thought of resuming it, hoping that his age and imprisonment would have quickly freed them from farther trouble. But a speedy proceeding against the other was vehemently pressed, as of no less importance than the peace between the two kingdoms, not without some intimation, "that there could be no expectation that the "Scottish army would ever retire into their country, "and consequently that the king's could be dis-"banded, before exemplary justice were done upon "that earl to their satisfaction." When they had inflamed men with this consideration sufficiently, they, without any great difficulty, (in order to the necessary expedition for that trial,) prevailed in two propositions of most fatal consequence to the king's service, and to the safety and integrity of all honest men.

The first, "for a committee to be settled of both

" houses for the taking preparatory examinations." Thus the allegation was, " That the charge against " the earl of Strafford was of an extraordinary " nature, being to make a treason evident out of a " complication of several ill acts; that he must be " traced through many dark paths, and this prece- " dent seditious discourse compared with that sub- " sequent outrageous action, the circumstances of " both which might be equally considerable with " the matter itself; and therefore that, before this " charge could be so directly made and prepared " as was necessary," (for he was hitherto only accused generally of treason,) " it was requisite, " that a committee should be made of both houses " to examine some witnesses upon oath, upon " whose depositions his impeachment would easily " be framed." This was no sooner proposed in the house of commons, than consented to; and upon as little debate yielded to by the lords; and the committee settled accordingly: without considering that such an inquisition (besides that the same was most contrary to the rules of law or the practice of any former times) would easily prepare a charge against the most innocent man alive; where that liberty should be taken to examine a man's whole life; and all the light, and all the private discourses had passed from him, might be tortured, perverted, and applied, according to the conscience and the craft of a diligent and malicious prosecution.

The second was, " for the examining upon oath " privy-counsellors, upon such matters as had " passed at the council-table." The allegation for this was, " That the principal ingredient into the

" treason of which the earl was to be charged, was, " a purpose to change the form of government; " and, instead of that settled by law, to introduce " a power merely arbitrary. Now this design " must be made evident, as well by the advices " which he gave, and the expressions he uttered " upon emergent occasions, as by his public " actions; and those could not be discovered, at " least not proved, but by those who were present " at such consultations, and they were only privy- " counsellors." As it was alleged, " That at his " coming from Ireland the earl had said in council " there, That if he ever returned to that sword " again, he would not leave a Scotchman in that " kingdom: and at his arrival in this kingdom, the " lord mayor and some aldermen of London attend- " ing the board about the loan of monies, and not " giving that satisfaction was expected, that he " should pull out a letter out of his pocket, and " shew what course the king of France then took " for the raising of money; and that he should " tell the king, That it would never be well till he " hanged up a lord mayor of London in the city to " terrify the rest."

There was no greater difficulty to satisfy the house of commons with the reasonableness of this, than of the former; but the compassing it was not like to be so easy; for it was visible, that, though the lords should join with them, (which was not to be despaired,) the privy-counsellors would insist upon the oath they had taken, and pretend, " that " without the king's consent they might not dis- " cover any thing that had passed at that board; " so that the greatest difficulty would be, the pro-

"curing the king's consent for the betraying him-
"self: but this must be insisted on, for God forbid
"that it might be safe for any desperate wicked
"counsellor to propose and advise at that board"
(which in the intervals of parliaments wholly dis-
posed the affairs of state) "courses destructive to
"the health and being of the kingdom; and that
"the sovereign physician, the parliament, (which
"had the only skill to cure those contagious and
"epidemical diseases,) should be hindered from
"preserving the public, because no evidence must
"be given of such corrupt and wicked counsels."
And so provided with this specious oratory, they
desire the lords "to concur with them for this
"necessary examination of privy-counsellors;" who,
without much debate, (for the persons concerned
knew well their acts were visible and public enough,
and therefore considered not much what words
had passed,) consented, and appointed some to
attend the king for his consent: who, not well
weighing the consequence, and being in public
council unanimously advised "to consent to it;
"and that the not doing it would lay some taint
"upon his council, and be a tacit confession, that
"there had been agitations at that place which
"would not endure the light;" yielded that they
should be examined: which was speedily done
accordingly, by the committee of both houses
appointed for that purpose.

The damage was not to be expressed, and the
ruin that last act brought to the king was irrepar-
able; for, besides that it served their turn (which
no question they had discovered before) to prove
those words against the earl of Strafford, which

sir Harry Vane so punctually remembered, (as you shall find at the earl's trial,) and besides that it was matter of horror to the counsellors, to find that they might be arraigned for every rash, every inconsiderate, every imperious expression or word they had used there; and so made them more engaged to servile applications; it banished for ever all future freedom from that board, and those persons, whence his majesty was to expect advice in his greatest straits; all men satisfying themselves, "that they were no more obliged to deliver "their opinions there freely, when they might be "impeached in another place for so doing;" and the evincing this so useful doctrine was without doubt more the design of those grand managers, than any hope they had, of receiving further information thereby, than they had before.

And for my part, I must ask leave of those noble lords, who after the king's consent gave themselves leave to be examined, to say, that if they had well considered the oath they had taken when they were admitted to that society, which was, *To keep secret all matters committed and revealed to them, or* [*that*] *should be treated of secretly in council*, they would not have believed, that the king himself could have dispensed with that part of their oath. It is true, there is another clause in their oath, that allows them with the king's consent to reveal a matter of council: but that is, only what shall touch another counsellor; which they are not to do without the leave of the king or the council.

It was now time to intend themselves, as well as the public, and to repair, as well as to pull down; and therefore, as the principal reason (as

was said before) for the accusing those two great persons of high treason (that is, of the general consent to it before any evidence was required) was, that they might be removed from the king's presence and his counsels, without which they conceived theirs would have no power with him; so that being compassed, care was taken to infuse into the king by marquis Hamilton, (who you heard before was licensed to take care of himself; and was now of great intimacy with the governing and undertaking party,) "that his majesty having "declared to his people, that he really intended a "reformation of all those extravagancies which "former necessities, or occasions, or mistakes, had "brought into the government of church or state: "he could not give a more lively and demonstrable "evidence, and a more gracious instance of such "his intention, than by calling such persons to his "council, whom the people generally thought most "inclined to, and intent upon, such reformation: "besides, that this would be a good means to pre-"serve the dignity and just power of that board, "which might otherwise for the late excess be "more subject to violation, at least to some incon-"venient attempts."

Hereupon in one day were sworn privy-counsellors, much to the public joy, the earl of Hertford, (whom the king shortly after made marquis,) the earl of Bedford, the earl of Essex, the earl of Bristol, the lord Say, the lord Savile, and the lord Kimbolton; and within two or three days after, the earl of Warwick: being all persons at that time very gracious to the people, or to the Scots, by whose election and discretion the people chose;

and had been all in some umbrage at court, and most of them in visible disfavour there. This act the king did very cheerfully; heartily inclined to some of them, as he had reason; and not apprehending any inconvenience by that act from the other, whom he thought this light of his grace would reform, or at least restrain.

But the calling and admitting men to that board is not a work that can be indifferent; the reputation, if not the government, of the state so much depending on it. And though, it may be, there hath been too much curiosity heretofore used to discover men's particular opinions in particular points, before they have received that honour; whereas possibly such differences were rather to have been desired than avoided; yet there are certain opinions, certain propositions, and general principles, that whosoever does not hold, does not believe, is not, without great danger, to be accepted for a privy-counsellor. As, whosoever is not fixed to monarchical grounds, the preservation and upholding whereof is the chief end of such a council: whosoever does not believe that, in order to that great end, there is a dignity, a freedom, a jurisdiction most essential to be preserved in and to that place; and takes not the preservation thereof to heart; ought never to be received there. What in prudence is to be done towards that end, admits a latitude that honest and wise men may safely and profitably differ [in]; and those differences (which I said before there was too much unskilful care to prevent) usually produce great advantages in knowledge and wisdom: but the end itself, that which the logicians call the *terminus ad quem*, ought always to be a

postulatum, which whosoever doubts, destroys: and princes cannot be too strict, too tender, in this consideration, in the constituting the body of their privy-council; upon the prudent doing whereof much of their safety, more of their honour and reputation (which is the life itself of princes) both at home and abroad, necessarily depends; and the inadvertencies in this point have been, mediately or immediately, the root and the spring of all the calamities that have ensued.

Two reasons have been frequently given by princes for oversights, or for wilful breaches, in this important dispensation of their favours. The first, "that such a man can do no harm;" when, God knows, few men have done more harm than those who have been thought to be able to do least; and there cannot be a greater error, than to believe, a man whom we see qualified with too mean parts to do good, to be therefore incapable of doing hurt: there is a supply of malice, of pride, of industry, and even of folly, in the weakest, when he sets his heart upon it, that makes a strange progress in mischief. The second, "when persons "of ordinary faculties, either upon importunity, or "other collateral respects, have been introduced "thither, that it is but a place of honour, and a "general testimony of the king's affection;" and so it hath been as it were reserved as a preferment for those, who were fit for no other preferment. As amongst the Jesuits they have a rule, that they who are unapt for greater studies, shall study cases of conscience. By this means the number hath been increased, which in itself breeds great inconveniences; since a less number are fitter both

for counsel and despatch, in matters of the greatest moment, that depend upon a quick execution, than a greater number of men equally honest and wise: and for that, and other reasons of unaptness and incompetency, committees of dexterous men have been appointed out of the table to do the business of the table; and so men have been no sooner exalted with the reverent title, and pleased with the obligation of being made privy-counsellors, than they have checked that delight with discerning that they were not fully trusted; and so been more incensed with the reproachful distinction at, than obliged with the honourable admission to, that board, where they do not find all persons equally members. And by this kind of resentment, many sad inconveniences have befallen to the king, and to those men who have had the honour and misfortune of those secret trusts.

The truth is, the sinking and near desperate condition of monarchy in this kingdom can never be buoyed up, but by a prudent and steady council attending upon the virtue and vivacity of the king; nor be preserved and improved when it is up, but by cherishing and preserving the wisdom, integrity, dignity, and reputation of that council: the lustre whereof always reflects upon the king himself; who is not thought a great monarch when he follows the reins of his own reason and appetite; but when, for the informing his reason, and guiding his actions, he uses the service, industry, and faculties of the wisest men. And though it hath been, and will be, always necessary to admit to those counsels some men of great power, who will not take the pains to have great parts; yet the

number of the whole should not be too great; and the capacities and qualities of the most [should be] fit for business; that is, either for judgment and despatch; or for one of them at least; and integrity above all.

This digression (much longer than was intended) will not appear very impertinent, when the great disservice shall appear, which befell unto the king by the swearing those lords formerly mentioned (I speak but of some of them) privy-counsellors. For, instead of exercising themselves in their new province, and endeavouring to preserve and vindicate that jurisdiction, they looked upon themselves as preferred thither, by their reputation in parliament, not [by the] kindness and estimation of the king; and so resolved to keep up principally the greatness of that place, to which they thought they owed their greatness. And therefore, when the king required the advice of his privy-council, in those matters of the highest importance which were then every day incumbent on him, the new privy-counsellors positively declared, "that they might not "(that was, that nobody might) give his majesty "any advice in matters depending in the two "houses, and not agreeable to the sense of the "two houses; which (forsooth) was his great "council, by whose wisdom he was entirely to "guide himself." And as this doctrine was most insipidly and perniciously urged by them; so it was most supinely and stupidly submitted to by the rest: insomuch as the king in a moment found himself bereaved of any public assistance or advice, in a time when he needed it most; and his greatest, and, upon the matter, his only business, being pru-

dently to weigh and consider what to consent to, and what to deny, of such things as should be proposed to him by the two houses, he was now told, "that he was only to be advised by them;" which was as much as to ask, whether they had a mind he should do whatever they desired of him.

Whereas in truth, it is not only lawful for, but the duty of the privy-council, to give faithfully and freely their advice to the king upon all matters concluded in parliament, to which his royal consent is necessary, as well as upon any other subject whatsoever. Nay, as a counsellor, he is bound to dissuade the king to consent [from consenting] to that which is prejudicial to the crown; at least to make that prejudice manifest to him; though as a private person he could wish the matter consented to. And therefore, by the constitution of the kingdom, and the constant practice of all times, all bills, after they are passed both houses, and engrossed, are delivered by the clerk of the parliament to the clerk of the crown; and by him brought to the attorney-general; who presented the same to his majesty sitting in council, and having read them, declares what alterations are made by those bills in former laws, and what benefit or detriment, in profit or jurisdiction, will accrue thereby to the crown: and then, upon a full and free debate by his counsellors, the king resolves, and accordingly doth mark the bills that are to be enacted into laws; and respites the other that he thinks not fit to consent to. And methinks as this hath been the known practice, so the reason is very visible; that the royal assent being a distinct and essential part towards the making a law, there should be as much

care taken to inform the understanding and conscience of the king upon those occasions, as theirs, who prepare the same for his royal stamp.

That it might appear that what was done within the houses was agreeable to those who were without, and that the same spirit reigned in parliament and people, all possible license was exercised in preaching, and printing any old scandalous pamphlets, and adding new to them against the church: petitions presented by many parishioners against their pastors, with articles of their misdemeanours and behaviours; most whereof consisted, "in their "bowing at the name of Jesus, and obliging the "communicants to come up to the altar," (as they enviously called it,) that is, to the rails which enclosed the communion-table, "to receive the sacra-"ment." All which petitions were read with great delight, and presently referred to the committee for religion; where Mr. White, a grave lawyer, but notoriously disaffected to the church, sat in the chair; and then both petition and articles were suffered to be printed and published, (a license never practised before,) that the people might be inflamed against the clergy; who were quickly taught to call all those against whom such petitions and articles were exhibited (which were frequently done by a few of the rabble, and meanest of the people, against the sense and judgment of the parish) *the scandalous clergy;* which appellation was frequently applied to men of great gravity and learning, and the most unblemished lives.

There cannot be a better instance of the unruly and mutinous spirit of the city of London, which was the sink of all the ill humour of the kingdom.

than the triumphant entry which some persons at that time made into London, who had been before seen upon pillories, and stigmatized as libellous and infamous offenders: of which classis of men scarce any age can afford the like.

There had been three persons of several professions some years before censured in [the] star-chamber; William Pryn, a barrister of Lincoln's Inn; John Bastwick, a doctor of physic; and Henry Burton, a minister and lecturer in London.

The first, not unlearned in the profession of the law, as far as learning is acquired by the mere reading of books; but being a person of great industry, had spent more time in reading divinity; and, which marred that divinity, in the conversation of factious and hotheaded divines: and so, by a mixture of all three, with the rudeness and arrogance of his own nature, had contracted a proud and venomous dislike against the discipline of the church of England; and so by degrees (as the progress is very natural) an equal irreverence to the government of the state too; both which he vented in several absurd, petulant, and supercilious discourses in print.

The second, a half-witted, crack-brained fellow, unknown to either university, or the college of physicians; but one that had spent his time abroad, between the schools and the camp, (for he had been in, or passed through armies,) and had gotten a doctorship, and Latin; with which, in a very flowing style, with some wit and much malice, he inveighed against the prelates of the church in a book which he printed in Holland, and industriously dispersed in London, and throughout the kingdom; having presumed (as their modesty is always equal

to their obedience) to dedicate it *to the sacred majesty of the king.*

The third had formerly a kind of relation by service to the king; having, before he took orders, waited as closet-keeper, and so attended at canonical hours, with the books of devotion, upon his majesty when he was prince of Wales; and, a little before the death of king James, took orders: and so his highness coming shortly to be king, the vapours of ambition fuming into his head that he was still to keep his place, he would not think of less than being clerk of the closet to the new king, which place his majesty conferred upon, or rather continued in, the bishop of Durham, doctor Neyl, who had long served king James there. Mr. Burton thus disappointed, and, as he called it, despoiled of his rights, would not, in the greatness of his heart, sit down by the affront; but committed two or three such weak, saucy indiscretions, as caused an inhibition to be sent him, "that he should not presume to come any more to court:" and from that time [he] resolved to revenge himself of the bishop of Durham, upon the whole order; and so turned lecturer, and preached against them; being endued with malice and boldness, instead of learning and any tolerable parts.

These three persons having been, for several follies and libelling humours, first gently reprehended, and after, for their incorrigibleness, more severely censured and imprisoned, found some means in prison of correspondence, which was not before known to be between them; and to combine themselves in a more pestilent and seditious libel than they had ever before vented: in which the honour

of the king, queen, counsellors, and bishops, was with equal license blasted and traduced; which was faithfully dispersed by their proselytes in the city. The authors were quickly and easily known, and had indeed too much ingenuity to deny it; and were thereupon brought together to the star-chamber-bar *ore tenus;* where they behaved themselves with marvellous insolence; with full confidence demanding, "that the bishops who sat in the "court" (being only the archbishop of Canterbury, and the bishop of London) "might not be present, "because they were their enemies, and so parties:" which, how scandalous and ridiculous soever it seemed then there, was good logic and good law two years after in Scotland, and served to banish the bishops of that kingdom both from the council-table and the assembly. Upon a very patient and solemn hearing, in as full a court as I ever saw, without any difference in opinion or dissenting voice, they were all three censured as scandalous, seditious, and infamous persons, "to lose their ears "in the pillory, and to be imprisoned in several "gaols during the king's pleasure:" all which was executed with rigour and severity enough. But yet their itch of libelling still brake out; and their friends of the city found a line of communication. Hereupon the wisdom of the state thought fit, that those infectious sores should breathe out their corruption in some air more remote from that catching city, and less liable to the contagion: and so, by an order of the lords of the council, Mr. Pryn was sent to a castle in the island of Jersey; Dr. Bastwick to Scilly; and Mr. Burton to Guernsey; where they remained unconsidered, and truly I think unpitied.

(for they were men of no virtue or merit,) for the space of two years, till the beginning of this present parliament.

Shortly upon that, petitions were presented by their wives or friends, to the house of commons, expressing "their heavy censures and long suffer-"ings;" and desiring, by way of appeal, "that the "justice and rigour of that sentence might be "reviewed and considered; and that their persons "might be brought from those remote and desolate "places to London, that so they might be able to "solicit or attend their own business." The sending for them out of prison (which was the main) took up much consideration: for though very many who had no kindness, had yet compassion towards them; as thinking they had suffered enough; and that, though they were scurvy fellows, they had been scurvily used: and others had not only affection to their persons, as having suffered for a common cause; but were concerned to revive and improve their useful faculties of libelling and reviling authority; and to make those ebullitions not thought noisome to the state: yet a sentence of a supreme court, the star-chamber, (of which they had not yet spoke with irreverence,) was not lightly to be blown off: but, when they were informed, and had considered, that by that sentence the petitioners were condemned to some prisons in London; and were afterward removed thence by an order of the lords of the council; they looked upon that order as a violation of the sentence; and so made no scruple to order "that the prisoners should be removed "from those foreign prisons, to the places to which "they were regularly first committed." And to

that purpose warrants were signed by the speaker, to the governors and captains of the several castles, "to bring them in safe custody to London:" which were sent with all possible expedition.

Pryn and Burton being neighbours (though in distinct islands) landed at the same time at Southampton; where they were received and entertained with extraordinary demonstrations of affection and esteem; attended by a marvellous conflux of company; and their charges not only borne with great magnificence, but liberal presents given to them. And this method and ceremony kept them company all their journey, great herds of people meeting them at their entrance into all towns, and waiting upon them out with wonderful acclamations of joy. When they came near London, multitudes of people of several conditions, some on horseback, others on foot, met them some miles from the town; very many having been a day's journey; so they were brought, about two of the clock in the afternoon, in at Charing-cross, and carried into the city by above ten thousand persons, with boughs and flowers in their hands; the common people strewing flowers and herbs in the ways as they passed, making great noise, and expressions of joy for their deliverance and return; and in those acclamations mingling loud and virulent exclamations against the bishops, "who had so cruelly prosecuted such godly men." In the same manner, within five or six days after, and in like triumph, Dr. Bastwick returned from Scilly, landing at Dover; and from thence bringing the same testimonies of the affections and zeal of Kent, as the others had done from Hampshire and Surrey, was met before he came to Southwark by

the good people of London, and so conducted to his lodging likewise in the city.

I should not have wasted this much time and paper in a discourse of this nature, but that it is and was then evident, that this insurrection (for it was no better) and phrensy of the people was an effect of great industry and policy, to try and publish the temper of the people; and to satisfy themselves in the activity and interest of their tribunes, to whom that province of shewing the people was committed. And from this time, the license of preaching and printing increased to that degree, that all pulpits were freely delivered to the schismatical and silenced preachers, who till then had lurked in corners, or lived in New England; and the presses at liberty for the publishing the most invective, seditious, and scurrilous pamphlets, that their wit and malice could invent. Whilst the ministers of the state, and judges of the law, like men in an ecstasy, surprised and amazed with several apparitions, had no speech or motion; as if, having committed such an excess of jurisdiction, (as men upon great surfeits are enjoined for a time to eat nothing,) they had been prescribed to exercise no jurisdiction at all. Whereas, without doubt, if either the privy-council, or the judges and the king's learned council, had assumed the courage to have questioned the preaching, or the printing, or the seditious riots upon the triumph of these three scandalous men, before the uninterruption and security had confirmed the people in all three, it had been no hard matter to have destroyed those seeds, and pulled up those plants, which, [being] neglected, grew up and prospered to a full harvest of rebellion

and treason. But this was yet but a rudeness and rankness abroad, without any visible countenance or approbation from the parliament: all was chaste within those walls.

The first malignity that was apparent there (for the accusation of the archbishop and the earl of Strafford were looked upon as acts of passion, directed against particular persons, who were thought to have deserved some extraordinary measure and proceeding) was against the church: not only in their committee for religion; which had been assumed ever since the latter times of king James, but no such thing had been before heard of in parliament; where, under pretence of receiving petitions against clergymen, they often debated points beyond the verge of their understanding: but, by their cheerful reception of a declaration of many sheets of paper against the whole government of the church; presented by ten or a dozen ministers, at the bar; and pretended to be signed by seven hundred ministers of London and the counties adjacent: and a petition, presented by alderman Pennington, and alleged to be subscribed by twenty thousand men, inhabitants within the city of London; who required, in plain terms, "the total extirpation "of episcopacy." But the house was then so far from being possessed with that spirit, that the utmost that could be obtained, upon a long debate upon that petition, was, "that it should not be rejected;" against which the number of the petitioners was urged as a powerful argument; only it was suffered to remain in the hands of the clerk of the house, with "direction, that no copy of it should be given." And for the ministers' declaration, one part only of it was

insisted on by them, and read in the house; which concerned the exercise of their jurisdiction, and the excess of their ecclesiastical courts: the other parts were declined by many of them, and especially ordered "to be sealed up by the clerk, that it "might be perused by no man." So that all that envy and animosity against the church seemed to be resolved into a desire, "that a bill might be framed "to remove the bishops from their votes in the "lords' house, and from any office in secular affairs;" which was the utmost men pretended to wish: and to such a purpose a bill was shortly after prepared, and brought into the house; of which more shall be said in its proper place.

It was a strange uningenuity and mountebankry, that was practised in the procuring those petitions; which continued ever after in the like addresses. The course was, first, to prepare a petition very modest and dutiful, for the form; and for the matter, not very unreasonable; and to communicate it at some public meeting, where care was taken it should be received with approbation: the subscription of very few hands filled the paper itself, where the petition was written, and therefore many more sheets were annexed, for the reception of the number, which gave all the credit, and procured all the countenance, to the undertaking. When a multitude of hands was procured, the petition itself was cut off, and a new one framed, suitable to the design in hand, and annexed to the long list of names which were subscribed to the former. And by this means, many men found their hands subscribed to petitions, of which they before had never heard. As several ministers, whose hands were to the

petition and declaration of the London ministers before mentioned, have professed to many persons, "that they never saw that petition or declaration "before it was presented to the house; but had "signed another, the substance of which was, not "to be compelled to take the oath enjoined by the "new canons: and when they found, instead of "that, their names set to a desire of an alteration "of the government of the church, they with much "trouble went to Mr. Marshall, with whom they "had intrusted their petition and their hands; who "gave them no other answer, but that it was "thought fit by those who understood business "better than they, that the latter petition should "rather be preferred than the former." And when he found, they intended by some public act to vindicate themselves from that calumny; such persons, upon whom they had their greatest dependence, were engaged, by threats and promises, to prevail with them to sit still, and to pass by that indirect proceeding.

For the better facilitating and making way for these virulent attempts upon the church, petitions and complaints are [were] exhibited against the exorbitant acts of some bishops; especially against the bishops of Bath and Wells, and Ely; who "had "with great pride and insolence provoked all the "gentry, and in truth most of the inhabitants within "their dioceses." And the new canons were insisted on, "as a most palpable invasion by the "whole body of the clergy, upon the laws and "liberty of the people."

I told you before, that after the dissolution of the former short parliament, the convocation-ho[use]

was continued by special warrant from the king; and by his majesty, in a solemn message sent to them by sir Harry Vane, then principal secretary, "required to proceed in the making of canons, for "the better peace and quiet of the church." Notwithstanding this command, the chief of the clergy, well knowing the spirit of bitterness that was contracted against them; and many obsolete pamphlets against their jurisdiction and power being, since the commotions in Scotland, revived and published with more freedom; desired his majesty, "that the "opinions of the judges might be known and de-"clared, whether they might then lawfully sit, the "parliament being dissolved, and proceed in the "making of canons; as likewise, upon other par-"ticulars in their jurisdiction, which had been most "inveighed against?"

All the judges of England, upon a mature debate, in the presence of the king's council, under their hands asserted, "their power of making canons, "and those other parts of jurisdiction, which had "been so enviously questioned." Hereupon they proceeded; and having composed a body of canons, presented the same to his majesty, for his royal approbation. They were then again debated at the council-board, not without notable opposition; for upon some lessening the power and authority of the chancellors, and their commissaries, by those canons, the professors of that law took themselves to be disobliged; and sir Henry Martin, (who could not oversee any advantages,) upon several days of hearing at the council-table, with his utmost skill objected against them: but in the end, by the entire and unanimous advice of the privy-council, the

canons were confirmed by the king, under the great seal of England, and thereby legally enjoined to be observed. So that whatever they were, the judges were at least as guilty of the first presumption in framing them, and the lords of the council in publishing and executing them, as the bishops, or the rest of the clergy, in either.

Yet the storm fell wholly on the church: and the matter of those canons, and the manner of making them, was insisted on, as a pregnant testimony of a malignant spirit in the very function of the bishops. The truth is, the season in which that synod continued to sit (as was observed before) was in so ill a conjuncture of time, (upon the dissolution of a parliament, and almost in an invasion from Scotland,) that nothing could have been transacted there, of a popular and prevailing influence. Then, some sharp canons against sectaries, and some additionals in point of ceremonies, countenancing, though not enjoining, what had not been long practised, infinitely inflamed some, and troubled others; who jointly took advantage of what strictly was amiss; as the making an oath, the matter of which was conceived incongruous; and enjoining it to many of the laity, as well as the clergy; and the granting of subsidies.

So that the house of commons (that is, the major part) made no scruple, in that fury, to declare, "that the convocation-house had no power "at all of making canons:" notwithstanding that it was apparent by the law, and the uncontradicted practice of the church, that canons had never been otherwise made: "and that those canons con-"tained in them matter of sedition and reproach

"to the regal power; prejudicial to the liberty "and property of the subject, and to the privi- "leges of parliament." By the extent of which notable vote and declaration, they had involved almost the whole clergy under an arbitrary guilt; as much as they had done the nobility and gentry before, under their votes of lords lieutenants, deputy lieutenants, privy-counsellors, and sheriffs; and of which they made the same use; as shall be remembered in its proper place.

The two armies were necessarily to be provided for, lest the countries where their quarters were should come to be oppressed by free quarter; which would not only raise a very inconvenient noise, but introduce a necessity of disbanding the armies, which they were in no degree ready for: and money not being to be raised soon enough in the formal way, by act of parliament, which would require some time in the passage; besides, that the manner and way of raising it had not been enough considered; and the collecting it would require much time, even after an act of parliament should be passed; therefore for the present supply they thought fit to make use of their credit with the city; to whom a formal embassy of lords and commons was sent; which were carefully chosen of such persons as carried the business of the house before them, that the performing the service might be as well imputed to their particular reputation and interest, as to the affection of the city: and these men in their orations to the citizens undertook "that their money should be repaid with in- "terest by the care of the parliament." And this was the first introduction of the public faith; which

grew afterwards to be applied to all monstrous purposes.

And this expedient succeeded twice or thrice for such sums as they thought fit to require; which were only enough to carry on their affairs, and keep them in motion; not proportionable to discharge the debt due to the armies, but to enable them to pay their quarters: it being fit to keep a considerable debt still owing, lest they should appear too ready to be disbanded.

And they had likewise another design in this commerce with the city; for always upon the loan of money they recommended some such thing to the parliament, as might advance the designs of the party; as "the proceeding against "delinquents;" or "some reformation in the "church:" which the managers knew well what use to make of upon any emergency. When they had set this traffick on foot in the city, and so brought their friends there into more reputation and activity; at their election of common-council men, (which is every year before Christmas; and in which new men had rarely used to be chosen, except in case of death, but the old still continued,) all the grave and substantial citizens were left out; and such chosen as were most eminent for opposing the government, and most disaffected to the church, though of never so mean estates: which made a present visible alteration in the temper of the city, (the common-council having so great a share in the management of affairs there,) and even in the government itself.

Other ways were to be thought of for getting of money, which was, once at least every month,

called for very importunately by the Scottish commissioners; which caused the same provision to be made for the English forces. The next expedient was, "That in so great an exigence, and for the "public peace; that the armies might not enter "into blood, by the determination of the cessation, "which want of pay would inevitably produce; "the several members of the house would lend "money, according to their several abilities; or "that such as had no money would become bound "for it; and upon these terms enough could be "borrowed." And this was no sooner proposed, but consented to by all the eminent leaders; and by many others, in order to make themselves the more acceptable to those; and some did it for their own convenience, there being little hazard of their money, and full interest to be received, and believing it would facilitate the disbanding of the armies; upon which all sober men's hearts were directed.

And now, to support their stock of credit, it was time to raise money upon the people by act of parliament; which they had an excuse for not doing in the usual way, "and giving it immediately to "the king, to be paid into the exchequer; because "the public faith was so deeply engaged to the "city for a great debt; and so many particular "members in the loan of monies, and in being bound "for the payment of great sums, for which their "estates were liable: and therefore it was but rea-"son, that for their indemnity the money that was "to be raised should be paid into the hands of par-"ticular members of the house, named by them; "who should take care to discharge all public

"engagements." And the first bill they passed being but for two subsidies, which was not sufficient to discharge any considerable part of the money borrowed, they inserted in the bill the commissioners' names, who were to receive and dispose the money. And the king made no pause in the passing it; himself not considering the consequence of it, and none about him having the courage to present it to him.

But from that time, there was no bill passed for the raising of money, but it was disposed of in the same, or the like manner; that none of it could be applied to the king's use, or by his direction. Nor were they contented with this invasion of his prerogative, but took notice, "that, from the time of "his majesty's coming to the crown, he had taken "the customs and impositions upon merchandise "as his own right, without any act of parliament; "which no king had ever before done;" insinuating withal, "that they meant to make a further "inquisition into those, who had been the chief "ministers in that presumption." They said, "Nobody could imagine, but that they intended "to grant the same to his majesty, in the same "manner, for his life, as had been done to his pro-"genitors by former parliaments: but that they "found such an act could not be presently made "ready; because the book of rates now in practice "(besides that it had not been made by lawful "authority) contained many excesses, and must "be reformed in several particulars; in preparing "which, they would use all possible diligence, and "hoped to effect it in a short time: however, that "the continuance of the collection in the man-

" ner it was in, without any lawful title, and during " the very sitting of the parliament, would be a " precedent of a very evil consequence, and make " the right of giving it the more questioned; at " least the less valued. And therefore it would be " fit, that either all the present collection be dis- " continued, and cease absolutely; which was in " the power of the merchants themselves to do, by " refusing to pay any duties which there was " no law to compel them to: or, that a short act " should be presently passed, for the continuance " of the payments for a short time; against the " expiration whereof, the act [for granting them] " for life, with the book of rates, would be pre- " pared, and ready." There were many incon- veniences discovered in the first, in discontinuing the collection and payment of duties, " which " would not be so easily revived again, and reduced " into order; and that the last would, without " prejudice to either, both vindicate the right of " the subject, and secure the king's profit:" and so they prepared (with all the expressions of duty and affection to the king that can be imagined) and presented a grant of those duties for some few months. In which there was a preamble, dis- approving and condemning " all that had been " done in that particular, from his majesty's first " coming to the crown, to that time; and asserting " his whole right to depend upon the gift of his " subjects:" and concluded with " most severe " penalties to be inflicted upon those, who should " presume hereafter to collect or receive those " duties otherwise than as they were, or should be, " granted by act of parliament:" which was never

before provided for, and the king likewise passed it; and so, besides other unseasonable concessions and determinations, put all the revenue he had to live upon, and to provide him meat, into their hands, and to take from him whenever they should think it convenient to their other designs: of which he shortly after found the mischief.

Though, as hath been observed, there was not yet one penny of money given to the king, or received by his ministers; yet, because subsidies were raised upon the people, according to the formality of parliaments; and as if all that great supply had been to the king's own coffers; it was thought necessary, that the people should be refreshed with some behoveful law, at the same time that they found themselves charged with the payment of so many subsidies. And under that consideration, together with that bill for subsidies, another was sent up to the lords, for a triennial parliament: both which quickly passed that house, and were transmitted to the king.

In that for the triennial parliament (though the same was grounded upon two former statutes in the time of king Edward the Third, "That there "should be once every year a parliament") there were some clauses very derogatory to monarchical principles; as "giving the people authority to "assemble together, if the king failed to call "them," and the like: yet his majesty, really intending to make those conventions frequent, without any great hesitation, enacted those two bills together; so much to the seeming joy and satisfaction of both houses, that they pretended "to have "sufficiently provided for the indemnity of the com-

" monwealth; and that there remained nothing to " be done, but such a return of duty and gratitude " to the king, as might testify their devotions; " and that their only end was to make him " glorious:" but those fits of zeal and loyalty never lasted long.

The lord Finch's flight made not only that place vacant, but begat several other vacancies. The seal was given to Littleton, who was then chief justice of the common pleas; for which place he was excellently fitted: but being a man of a grave and comely presence, his other parts were overvalued; his learning in the law being his masterpiece. And so he was chosen to be keeper, upon the opinion and recommendation of the two great ministers under the cloud; who had before brought him to be a privy-counsellor, whilst chief justice, to the no little jealousy of the lord Finch.

Banks, the attorney general, was weary enough of the inquisition that was made into the king's grants, and glad to be promoted to the common pleas. And Herbert, the solicitor general, who had sat all this time in the house of commons, awed and terrified with their temper; applying himself to Mr. Hambden, and two or three of the other, without interposing or crossing them in any thing; longed infinitely to be out of that fire: and so the office of attorney general, which at any other time had been to be wished, was now most grateful, as it removed him from the other attendance, there being an incapacity put upon that place of sitting as a member in parliament: and so he was called by writ to attend the house of peers, where

he sits upon the woolsack at the back of the judges.

From the time that there was no more fear of the archbishop of Canterbury, nor the lord lieutenant of Ireland, nor of any particular men who were like to succeed them in favour; all who had been active in the court, or in any service for the king, being totally dispirited, and most of them to be disposed to any vile offices against him; the great patriots thought they might be able to do their country better service, if they got the places and preferments in the court, and so prevented the evil counsels which had used to spring from thence. And they had then a fast friend there, the marquis of Hamilton; who could most dexterously put such an affair into agitation, with the least noise, and prepare both king and queen to hearken to it very willingly: and in a short time all particulars were well adjusted for every man's accommodation.

The earl of Bedford was to be treasurer: in order to which, the bishop of London had already desired the king "to receive the staff into his "hand, and give him leave to retire to the sole "care of his bishopric;" by which he wisely withdrew from the storm, and enjoyed the greatest tranquillity of any man of the three kingdoms, throughout the whole boisterous and destroying time that followed; and lived to see a happy and blessed end of them, and died in great honour and glory. And so the treasury was for the present put into commission. Mr. Pym was to be chancellor of the exchequer: which office the lord Cottington was likewise ready to surrender, upon

assurance of indemnity for the future. These two were engaged to procure the king's revenue to be liberally provided for, and honourably increased and settled.

And, that this might be the better done, the earl of Bedford prevailed with the king, upon the removes mentioned before, to make Oliver Saint-John (who hath been often, and will be oftener mentioned in this discourse) his solicitor general; which his majesty readily consented to; hoping that, being a gentleman of an honourable extraction, (if he had been legitimate,) he would have been very useful in the present exigence to support his service in the house of commons, where his authority was then great; at least, that he would be ashamed ever to appear in any thing that might prove prejudicial to the crown. And he became immediately possessed of that office of great trust; and was so well qualified for it, by his fast and rooted malignity against the government, that he lost no credit with his party, out of any apprehension or jealousy that he would change his side; and he made good their confidence; not in the least degree abating his malignant spirit, or dissembling it; but with the same obstinacy opposed every thing which might advance the king's service, when he was his solicitor, as ever he had done before.

The lord Say was to be master of the wards; which place the lord Cottington was likewise to surrender for his quiet and security. And Denzil Hollis was to be secretary of state, in the place of secretary Windebank.

Thus far the intrigue for preferments was en-

tirely complied with: and it is great pity that it was not fully executed, that the king might have had some able men to have advised or assisted him; which probably these very men would have done, after they had been so throughly engaged: whereas the king had none left about him in any immediate trust in business, (for I speak not of the duke of Richmond, and some very few men more about his person, who always behaved themselves honourably,) who either did not betray, or sink under the weight or reproach of it.

But the earl of Bedford was resolved, that he would not enter into the treasury, till the revenue was in some degree settled; and at least the bill for tonnage and poundage passed, with all decent circumstances, and for life; which both he and Mr. Pym did very heartily labour to effect; and had in their thoughts many good expedients, by which they intended to raise the revenue of the crown. And none of them were very solicitous to take their promotions, before some other accommodations were provided for some of the rest of their chief companions; who would be neither well pleased with their so hasty advancement before them, nor so submissive in the future to follow their dictates.

Hambden was a man they could not leave unprovided for; and therefore there were several designs, and very far driven, for the satisfaction and promotion of him, and Essex, and Kimbolton, and others; though not so fully concluded, as those before mentioned. For the king's great end was, by these compliances, to save the life of the earl of Strafford, and to preserve the church from ruin: for nobody thought the archbishop in

danger of his life. And there were few of the persons mentioned before, who thought their preferments would do them much good, if the earl were suffered to live; but in that of the church, the major part even of those persons would have been willing to have satisfied the king; the rather, because they had no reason to think the two houses, or indeed either of them, could have been induced to have pursued the contrary. And so the continued and renewed violence in the prosecution of the earl of Strafford made the king well contented (as the other reasons prevailed with the other persons) that the execution of those promotions should be for a time suspended.

When there was a new occasion, upon the importunity of the Scottish commissioners, to procure more money; and the leading men, who used to be forward in finding out expedients for supply, seemed to despair of being able to borrow more; because the city was much troubled and disheartened, to see the work of reformation proceed so slowly, and no delinquents yet brought to justice; and that till some advance was made towards those longed-for ends, there must be no expectation of borrowing more money from or in the city: upon which Mr. Hyde said, "That he did not believe "the thing to be so difficult as was pretended; "that no man lent his money, who did not gain by "it; and that it was evident enough, that there "was plenty of money; and therefore he was con- "fident, if a small committee of the house were "nominated, who, upon consultation between "themselves, might use the name of the house to "such men as were reputed to have money, they

"might prevail with them to lend as much "as might serve for the present exigence." Whereupon the house willingly approved the motion; and named himself, Mr. Capel, sir John Strangeways, and five or six more, whom they desired might be joined with them; who, the same or the next day, repaired into the city; resolving to apply themselves to no men but such who were of clear reputation in point of wisdom, and sobriety of understanding, as well as of wealth and ability to lend. And after they had spoken together with four or five eminent men, they agreed to pair, and to confer severally with their particular acquaintance, upon the same subject: many men choosing rather to lend their money, than to be known to have it; and being very wary in their expressions, except in private.

When they had again communicated together, they found that the borrowing the money would be very easy; every man with whom they had conferred being ready and forward to lend the money upon their security who proposed, or to find a friend who should. Most of them in their private discourse said, "that there was money enough to be lent, if "men saw there would be like to be any end of "borrowing; but that it was an universal discom-"fort and discouragement, to all men of estates "and discretion, to see two great armies still kept "on foot in the kingdom, at so vast a charge, "when there remained no fear of a war; and that "if a time were once appointed for the disbanding "them, there should not want money for the doing "all that should be necessary in order to it." This answer satisfied them in all respects: and the next

day Mr. Hyde reported to the house the success of their employment; "that they had conferred with the "most substantial and best reputed men of the city; "who, by themselves and their friends, had promised "to supply the money which was desired." And then he enlarged upon "the temper they understood "the city to be in, by the reports of those who "might be reasonably supposed to know it best; "that it was indeed very much troubled and melan- "cholic, to see two armies kept on foot at so vast "a charge within the bowels of the kingdom, when, "God be thanked, all the danger of a war was "removed; and that they who were very able to "make good what they promised, had frankly un- "dertaken, that if a peremptory day was appointed "for being rid of those armies, there should not be "want of money to discharge them."

The report was received with great applause by the major part of the house, as was reasonably collected by their countenance: but it was as apparent, that the governing party was exceedingly perplexed with it, and knew not on a sudden what to say to it: if they embraced the opportunity, to procure a supply of money which was really wanted, it would be too great a countenance to the persons who had procured it; and whose reputation they were willing to depress: besides, it would imply their approbation of what had been said of the disbanding: at least, would be a ground of often mentioning and pressing it; and which, how grateful soever to most other men, was the thing they most abhorred. After a long silence, Mr. Hambden said, "that the "worthy gentlemen were to be much commended "for the pains they had taken: of which, he

" doubted not, good use would be made:" and so proposed, " That it might be well thought of, and " the debate resumed the next day;" which could not be denied. The next day, alderman Pennington (a man in highest confidence with the party; and one, who insinuated all things to the common-council which he was directed should be started there) began the discourse; and said, " that the " gentlemen, who had been last in the city to borrow " money, had made a fair report; but that in the " end of it there was *colloquintida;* that he could " not find with what persons they had conferred " about the temper of the city; nor that any con- " siderable people troubled themselves with design- " ing or wishing what the parliament should do, " which they knew to be wise enough, to know " what and when they were to do that which was " best for the kingdom: and they acquiesced in " their grave judgment:" and concluded, " that " the money that the house stood in need of, or a " greater sum, was ready to be paid to whomsoever " they would appoint to receive it." The house made itself very merry with the alderman's *colloquintida,* and called upon him " to explain it;" and so the debate ended: all men being well pleased to see the disorder they were in, and the pains they had taken to free themselves from it; which every day was renewed upon them, as the subject-matter afforded occasion; and they visibly lost much of the reverence, which had been formerly paid to them.

About the beginning of March, they began to make preparations for the trial of the earl of Strafford; who had then been about three months in

prison, under their accusation of high treason: and by this time, for their better supply in that work, a committee was come from the parliament in Ireland, to solicit matters concerning that kingdom. This committee (most of them being papists, and the principal actors since in the rebellion) was received with great kindness, and, upon the matter, added to the committee for the prosecution of the earl of Strafford. So that now, Ireland seemed no less intent upon the ruin of that unfortunate lord, than England and Scotland; there being such a correspondence settled between Westminster and Dublin, that whatsoever was practised in the house of commons here was very soon after done likewise there: and as sir George Ratcliff was accused here of high treason, upon pretence of being a confederate with the earl in his treasons; but in truth that he might not be capable of giving any evidence on the behalf of him, and thereupon sent for into this kingdom: so all, or most of the other persons, who were in any trust with the earl, and so privy to the grounds and reasons of the counsels there, and only able to make those apparent, were accused by the house of commons in that kingdom of high treason; under the general impeachment, of "endeavouring to "subvert the fundamental laws of that kingdom, "and to introduce an arbitrary power:" which served [the] turn there, to secure their persons, and to remove them from councils, as it had done here.

What seeds were then sown for the rebellion, which within a year after brake out in Ireland, by the great liberty and favour that committee found; who, for the good service against that lord, were

hearkened to in all things that concerned that kingdom, shall be observed, and spoken of at large, hereafter.

Much time was spent in consideration of the manner of the trial; for they could find no precedent would fit their case: "Whether it should be "in the house of peers? which room was thought "too little, for the accusers, witnesses, judges, and "spectators: Who should prosecute? Whether "members chosen of the commons, or the king's "council? Whether the bishops" (which were twenty-four in number, and like to be too tender-hearted in matter of blood, and so either to convert many, or to increase a dissenting party too much) "should have voices in the trial? Whether those "who had been created peers since the accusation "[was] carried up, should be admitted to be "judges?" And lastly, "Whether the commoners, "who were to be present at the trial, should sit "uncovered? and, Whether any members of the "house of commons should be examined at the "trial on the behalf of the earl?" who had sent a list of names, and desired an order to that purpose.

After much debate it was resolved, "that the "trial should be in Westminster-hall, where seats "should be built for the reception of the whole "house of commons, which together with the "speaker should be present:" for they then foresaw, that they might be put to another kind of proceeding than that they pretended; and (though with much ado) they consented to sit uncovered, lest such a little circumstance might disturb the whole design.

For the prosecution, they had no mind to trust

the king's council; who neither knew their secret evidence, nor, being informed, were like to apply and press it so vigorously as the business would require: and therefore they appointed "that com-" mittee which had prepared the charge, to give in " the evidence, and in the name of all the commons " of England to prosecute the impeachment."

For the bishops: after many bitter invectives, and remembering the faults of particular persons, and the canons which seemed to involve the whole body, with sharpness and threats; they took the case to be so clear upon an old canon, (the only one they acknowledged for orthodox,) that *clericus non debet interesse sanguini*, that they were content "to " refer that to the house of peers, as proper only " for their determination." And this they did, not upon any confidence they had in the matter itself, whatever law, or reason, or canon they pretended; or in the lords, the major part of whom, when any difference of opinion was, always dissented from their designs: but that they had a trick of doing their business by intimation; and they had a sure friend amongst the bishops, who had promised them seasonably to free them of that trouble.

And therefore they would not trust their lordships' own inclinations with the other point, of the new barons, which they knew would be controverted; but in plain terms demanded, "that no " peer, created since the day upon which the earl " of Strafford was impeached for high treason, " because they were involved as commoners in the " making that accusation, should sit as judges at " his trial."

For the earl's demand, "of an order to examine

" some members on his behalf, upon matters of " fact, at his trial;" after a long debate, they left it only in the power of the persons themselves who were nominated, " to be examined if they would," (not without some smart animadversions, " that " they should take heed what they did,") and refused to enjoin them; though the same had been done at their desire, for the lords of the council; but that was against the earl, and so the less to be considered.

The lords, in the absence of the lord keeper, who was very sick, made choice of the earl of Arundel to preside and govern the court; being a person notoriously disaffected to the earl of Strafford.

And for the great business of the bishops, they were saved the labour of giving any rule (which, it may be, would have troubled them) by the bishop of Lincoln's standing up, and moving, on the behalf of himself and his brethren, " that they might be " excused from being present at the trial, being " ecclesiastical persons, and so not to have their " hands in blood;" and such other reasons, as, when they are examined, will be found very trivial.

This bishop had been, by several censures in the star-chamber, imprisoned in the Tower, where he remained till after the beginning of this parliament, and was then set at liberty upon the desire of the lords; who knew him to be a mortal and irreconcilable enemy to the archbishop of Canterbury, and indeed had always been a puritan so far, as to love none of the bishops, and to have used all learned churchmen with great contempt and insolence; and yet he left no way unpractised to assure

the king, "that he would do great matters in par-
"liament for his service, if he might be at liberty."
The next day after he came to the house of peers,
the lord Say made that schismatical speech, which
he since printed; taking notice "of some imputa-
"tions laid on him by the archbishop of Canterbury,
"that he should be a sectary;" which nobody can
doubt, that reads that speech: yet he had no sooner
done, than that bishop rose, and made a large pane-
gyric in his praise, and professed, "that he always
"believed his lordship to be as far from a sectary,
"as himself." And when he found the great desire
of the house of commons to be freed from the
bishops' votes in that trial, he never left terrifying
them with the censure that hung over their heads
for making the canons, till he persuaded them to
ingratiate themselves, by desiring to be excused in
that matter, before an order should be made for
their absence.

This example of the bishops prevailed with some
lords, who had been created since the accusation, to
quit their right of judging; and amongst them,
the lord Littleton (who had been made a baron
upon the desire of the earl of Strafford, for that
only reason, that he professed, "If he were a peer,
"he would (and indeed he could) do him notable ser-
"vice") was the first who quitted his right to judge,
because he had been a commoner when the accusa-
tion was first brought up: but they who insisted
upon their right, (as the lord Seymour and others,)
and demanded the judgment of the house, were no
more disturbed, but exercised the same power to
the end, as any of the other lords did; and so, no
doubt, might the bishops too, if they would: for,

though there might be some reason for their absence, when the trial was according to law, before and by his peers only; yet, when that judgment was waved, and a bill of attainder brought up against him, their votes in that bill were as necessary and essential, as of any other of the lords. And it may be, their unseasonable, voluntary, unjust quitting it then, made many men less solicitous for the utter taking away that right afterwards. But of that in its place.

All things being thus prepared, and settled; on Monday, the twenty-second of March, the earl of Strafford was brought to the bar in Westminster-hall; the lords sitting in the middle of the hall in their robes; and the commoners, and some strangers of quality, with the Scottish commissioners, and the committee of Ireland, on either side: there being a close box made at one end, at a very convenient distance for hearing, in which the king and queen sat untaken notice of; his majesty, out of kindness and curiosity, desiring to hear all that could be alleged: of which, I believe, he afterwards repented himself; when "his having been present at the trial" was alleged and urged to him, as an argument for the passing the bill of attainder.

After his charge was read, and an introduction made by Mr. Pym, in which he called him *the wicked earl;* some member of the house of commons, according to their parts assigned, being a lawyer, applied and pressed the evidence, with great license and sharpness of language; and, when the earl had made his defence, replied with the same liberty upon whatsoever he said; taking

all occasions of bitterly inveighing against his person: which reproachful way of carriage was looked upon with so much approbation, that one of the managers (Mr. Palmer) lost all his credit and interest with them, and never recovered it, for using a decency and modesty in his carriage and language towards him; though the weight of his arguments pressed more upon the earl, than all the noise of the rest.

The trial lasted eighteen days; in which, "all "the hasty or proud expressions, or words, he had "uttered at any time since he was first made a "privy-counsellor; all the acts of passion or "power that he had exercised in Yorkshire, from "the time that he was first president there; his "engaging himself in projects in Ireland, as the "sole making of flax, and selling tobacco in that "kingdom; his billeting of soldiers, and exercis-"ing of martial law in that kingdom; his extra-"ordinary proceeding against the lord Mount-"norris, and the lord chancellor [Loftus]; his "assuming a power of judicature at the council-"table to determine private interest, and matter of "inheritance; some rigorous and extrajudicial de-"terminations in cases of plantations; some high "discourses at the council-table in Ireland; and "some casual and light discourses at his own "table, and at public meetings; and lastly, some "words spoken in secret council in this kingdom "after the dissolution of the last parliament," were urged and pressed against him, to make good the general charge, of "an endeavour to overthrow "the fundamental government of the kingdom, "and to introduce an arbitrary power."

The earl behaved himself with great show of humility and submission; but yet, with such a kind of courage, as would lose no advantage; and, in truth, made his defence with all imaginable dexterity; answering this, and evading that, with all possible skill and eloquence; and though he knew not, till he came to the bar, upon what parts of his charge they would proceed against him, or what evidence they would produce, he took very little time to recollect himself, and left nothing unsaid that might make for his own justification.

For the business of Ireland; he complained much, "that, by an order from the committee "which prepared his charge against him, all his "papers in that kingdom, by which he should "make his defence, were seized and taken from "him; and, by virtue of the same order, all his "goods, household stuff, plate, and tobacco "(amounting, as he said, to eighty thousand "pounds) were likewise seized; so that he had "not money to subsist in prison: that all those "ministers of state in Ireland, who were most "privy to the acts for which he was questioned, "and so could give the best evidence and testi-"mony on his behalf, were imprisoned under the "charge of treason. Yet he averred, that he had "behaved himself in that kingdom, according to "the power and authority granted by his commis-"sion and instructions, and according to the rules "and customs observed by former deputies and "lieutenants. That the monopolies of flax and "tobacco had been undertaken by him for the "good of that kingdom, and benefit of his ma-"jesty: the former establishing a most beneficial

" trade and good husbandry, not before practised " there; and the latter bringing a revenue of above " forty thousand pounds to the crown, and ad- " vancing trade, and bringing no damage to the " subject. That billeting of soldiers," (which was alleged to be treason, by a statute made in Ireland in the time of king Henry the Sixth,) " and the " exercising of martial law, had been always prac- " tised by the lieutenants and deputies of that " kingdom;" which he proved by the testimony and confession of the earl of Cork and the lord Wilmot; neither of which desired to say more for his behoof, than inevitably they must. He said, " the act of parliament mentioned, of Henry the " Sixth, concerned not him; it comprehending " only the inferior subjects, and making it penal " to them to billet soldiers, not the deputy, or " supreme commander; if it did, that it was re- " pealed by Poyning's act, in the eleventh year of " Henry the Seventh: however, if it were not, " and that it were treason still, it was treason only " in Ireland, and not in England; and therefore, " that he could not be tried here for it, but must be " transmitted thither." He said, " the council- " table in Ireland had a large, natural, legal jurisdic- " tion, by the institution and fundamental customs of " that kingdom; and had, in all times, determined " matters of the same nature, which it had done " in his time: and that the proceedings there upon " plantations had been with the advice of the " judges, upon a clear title of the crown, and upon " great reason of state: and that the nature and " disposition of that people required a severe hand " and strict reins to be held upon them, which being

" loosed, the crown would quickly feel the mis-
" chief."

For the several discourses, and words, wherewith he was charged; he denied many, and explained and put a gloss upon others, by the reasons and circumstances of the debate. One particular, which they much insisted on, though it was spoken twelve years before, " that he should say in the public " hall in York, that the little finger of the prero-
" gative should lie heavier upon them than the " loins of the law," he directly inverted; and proved, by two or three persons of credit, " that he " said" (and the occasion made it probable, being upon the business of knighthood, which was understood to be a legal tax) " the little finger of the " law was heavier than the loins of the preroga-
" tive;" that imposition for knighthood amounting to a much higher rate, than any act of the prerogative which had been exercised. " However," he said, " he hoped no indiscretion, or unskilfulness, " or passion, or pride of words, would amount to " treason; and for misdemeanours, he was ready " to submit to their justice."

He made the least, that is, the worst excuse, for those two acts against the lord Mountnorris, and the lord chancellor; which indeed were powerful acts, and manifested a nature excessively imperious if not inclined to tyranny; and, no doubt, drew a greater dislike and terror, from sober and dispassioned persons, than all that was alleged against him. A servant of the earl's, one Annesley, (kinsman to Mountnorris,) attending on his lord during some fit of the gout, (of which he often laboured,) had by accident, or negligence, suffered a stool to

fall upon the earl's foot; enraged with the pain whereof, his lordship with a small cane struck Annesley: this being merrily spoken of at dinner, at a table where the lord Mountnorris was, (I think, the lord chancellor's,) he said, "the gentleman "had a brother that would not have taken such a "blow." This coming some months after to the deputy's hearing, he caused a council of war to be called; the lord Mountnorris being an officer of the army; where, upon an article "of moving sedition, "and stirring up the soldiers against the general," he was charged with those words formerly spoken at the lord chancellor's table. What defence he made, I know not; for he was so surprised, that he knew not what the matter was, when he was summoned to that council: but the words being proved, he was deprived of his office (being then vice-treasurer) and his foot-company; committed to prison; and sentenced "to lose his head." The office and company were immediately disposed of, and he imprisoned, till the king sent him over a pardon, by which he was discharged with his life; all other parts of the sentence being fully executed.

This seemed to all men a most prodigious course of proceeding; that, in a time of full peace, a peer of the kingdom and a privy-counsellor, for an unadvised, passionate, mysterious word, (for the expression was capable of many interpretations,) should be called before a council of war, which could not reasonably be understood to have then a jurisdiction over such persons, and in such cases; and, without any process, or formality of defence, in two hours should be deprived of his life and for-

tune: the injustice whereof seemed the more formidable, for that the lord Mountnorris was known for some time before, to stand in great jealousy and disfavour with the earl: which made it looked on as a pure act of revenge; and gave all men warning, how they trusted themselves in the territories where he commanded.

The earl discharged himself of the rigour and severity of the sentence, and laid it upon "the "council of war; where himself not only for- "bore to be present, but would not suffer his "brother, who was an officer of the army, to stay "there:" he said, "that he had conjured the "court to proceed without any respect of favour or "kindness to himself; and that, as soon as he "understood the judgment of the council, which "was unanimous, he declared publicly, (which he "had likewise done before,) that a hair of his head "should not perish; and immediately wrote an "earnest letter to his majesty, for the procuring "his pardon; which was by his majesty, upon his "lordship's recommendation and mediation, granted "accordingly; and thereupon the lord Mount- "norris was set at liberty: though, it is true, he "was, after his enlargement, not suffered to come "to England." He concluded, "that the lord "Mountnorris was an insolent person; and that "he took this course to humble him; and that he "would be very well content, that the same course "might be taken to reform him; if the same care "might likewise be, that it might prove no more "to his prejudice, than the other had been to that "lord."

But the standers by made another excuse for

him. "The lord Mountnorris was a man of great "industry, activity, and experience in the affairs of "Ireland; having raised himself from a very pri- "vate, mean condition" (having been an inferior servant to the lord Chichester) "to the degree of "a viscount, and a privy-counsellor, and to a very "ample revenue in lands and offices; and had "always, by servile flattery and sordid application, "wrought himself into trust and nearness with all "deputies, at their first entering upon their charge, "informing them of the defects and oversights of "their predecessors; and, after the determination "of their commands, and return into England, in- "forming the state here, and those enemies they "usually contracted in that time, of whatsoever "they had done, or suffered to be done, amiss; "whereby they either suffered disgrace, or damage, "as soon as they were recalled from those honours. "And in this manner he began with his own "master, the lord Chichester; and continued the "same arts upon the lord Grandison, and the lord "Falkland, who succeeded; and, upon that score, "procured admission and trust with the earl of "Strafford, upon his first admission to that govern- "ment: so that this dilemma seemed unquestion- "able, that either the deputy of Ireland must "destroy my lord Mountnorris, whilst he con- "tinued in his office, or my lord Mountnorris must "destroy the deputy, as soon as his commission "was determined, which usually lasted not above "six years." And upon this consideration, besides that his no virtue made him unpitied, many looked with less concernedness upon that act, than the matter itself in the logic of it deserved.

The case of the lord chancellor seemed, to common understandings, an act of less violence, because it concerned not life; and had some show of formality at least, if not regularity in the proceeding; and that which was amiss in it took its growth from a nobler root than the other, by how much love is a more honourable passion than revenge. The endeavour was, to compel the lord chancellor to settle more of his land, and in another manner, upon his eldest son, than he had a mind to, and than he could legally be compelled to do: this the earl, upon a paper petition preferred to him by the wife of that son, (a lady, of whom the earl had so great a value and esteem, that made his justice the more suspected,) pressed, and in the end ordered him to do. The chancellor refused; was committed to prison; and shortly after, the great seal taken from him, which he had kept with great reputation of ability for the space of above twenty years. In the pressing this charge, many things of levity, as certain letters of great affection and familiarity from the earl to that lady, which were found in her cabinet after her death, for she was lately dead; others of passion, were exposed to the public view; to procure prejudice rather to his gravity and discretion, than that they were in any degree material to the business.

The earl said little more to it, than "that he "hoped, what passion soever, or what injustice "soever, might be found in that proceeding, and "sentence, there would be no treason: and that, "for his part, he had yet reason to believe, what "he had done was very just; since it had been "reviewed by his majesty, and his privy-council

" here, upon an appeal from the lord viscount Ely,
" (the degraded lord chancellor,) and upon a solemn
" hearing there, which took up many days, it had
" received a confirmation."

But the truth is, that rather accused the earl of an excess of power, than absolved him of injustice; for most men, that weighed the whole matter, believed it to be a high act of oppression, and not to be without a mixture of that policy, which was spoken of before in the case of the lord Mountnorris: for the chancellor, being a person of great experience, subtilty, and prudence, had been always very severe to departed deputies; and not over agreeable, nor in any degree submiss, to their full power; and taking himself to be the second person of the kingdom, during his life, thought himself little less than equall to the first, who could naturally hope but for a term of six years in that superiority: neither had he ever before met with the least check, that might make him suspect a diminution of his authority, dexterity, or interest.

That which was with most solemnity and expectation alleged against the earl, as the hinge upon which the treason was principally to hang, was a discourse of the earl's in the committee of state (which they called *the cabinet council*) upon the dissolution of the former parliament. Sir Harry Vane, the secretary of state, gave in evidence, " That the king at that time calling that committee
" to him, asked them, since he failed of the assist-
" ance and supply he expected by subsidies, what
" course he should now take? that the earl of
" Strafford answered, Sir, you have now done your

" duty, and your subjects have failed in theirs; " and therefore you are absolved from the rules of " government, and may supply yourself by extra- " ordinary ways; you must prosecute the war " vigorously; you have an army in Ireland, with " which you may reduce this kingdom."

The earl of Northumberland being examined, for the confirmation of this proof, remembered only, " that the earl had said, You have done your duty, " and are now absolved from the rules of govern- " ment;" but not a word of the army in Ireland, or reducing this kingdom. The lord marquis Hamilton, the lord bishop of London, and the lord Cottington, being likewise examined, answered upon their oaths, " that they heard none of those words " spoken by the earl." And these were the only persons present at that debate, save only the archbishop of Canterbury, and secretary Windebank, neither of which could be examined, or would be believed.

The earl positively denied the words; alleged " much animosity to be in sir Harry Vane towards " him;" and observed, " that not one of the other " witnesses, who were likewise present, and as like " to remember what was spoken as the secretary, " heard one word of the Irish army, or reducing " this kingdom: that, if he had spoken those " words, it could not be understood to be spoken " of England, but of Scotland, of which the dis- " course was, and for which that army was known " to be raised." He concluded, " that if the words " were spoken by him, which he expressly denied, " they were not treason; and if they were treason,

" that, by a statute made in Edward the Sixth's " time, one witness was not sufficient to prove it, " and that here was but one."

Seventeen days being spent in these skirmishes; the earl having defended himself with wonderful dexterity and ability, concluded, " that if the whole " charge (in which he hoped he had given their " lordships satisfaction) of his loyalty and integrity, " how great soever his infirmities were) was proved, " that the whole made him not guilty of high treason; " and to that purpose desired, that his learned counsel " might be heard;" and most pathetically conjured their lordships, " that, for their own sakes, they " would not, out of displeasure or disfavour towards " his person, create a precedent to the prejudice of " the peerage of England, and wound themselves " through his sides:" which was good counsel; and hath been since (though too late) acknowledged to be so.

The next day, his counsel was heard in the same place to the matter of law. And here I cannot pass by an instance of as great animosity, and indirect prosecution, in that circumstance of assigning him counsel, as can be given. After the house of peers had assigned him such counsel as he desired, to assist him in matter of law, (which never was, or can justly be denied to the most scandalous felon, the most inhuman murderer, or the most infamous traitor,) the house of commons, upon some occasion, took notice of it with passion and dislike, somewhat unskilfully, " that such a thing should be done " without their consent;" which was no more, than that the judge should be directed by the prosecutor,

in what manner to proceed and determine: others, with much bitterness, inveighing against "the "presumption of those lawyers, that durst be of "counsel with a person accused by them of high "treason;" and moving, "that they might be sent "for, and proceeded against for that contempt:" whereas, they were not only obliged to it, by the honour and duty of their profession; but had been punishable for refusing to submit to the lords' orders. The matter was too gross to receive any public order, and so the debate ended; but served (and no doubt that was the intention) to let those gentlemen know, how warily they were to demean themselves, lest the anger of that terrible congregation should be kindled against them.

But truly I have not heard that it made any impression upon those persons; it did not, I am sure, upon Mr. Lane, who argued the matter of law for the earl. The matters which were by him principally insisted on, and averred with such confidence as a man uses who believes himself, were these:

"1. That by the wisdom and tenderness of par-"liaments, which knew that there could not be a "greater snare for the subject, than to leave the "nature of treason undefined and unlimited, all "treasons were particularly mentioned and set "down in the statute of the 25 Edw. III. *de Pro-"ditionibus*. That nothing is treason, but what is "comprehended within that statute; all treasons "before that statute, as killing the king's uncle, "his nurse, piracy, and divers others, being re-"strained and taken away by the declaration of

" that act. And that no words or actions, in any " of the articles of the earl of Strafford's charge, " did amount to treason within that statute.

" 2. That by reason of the clause in that statute, " of declaring treason in parliament, divers actions " were declared to be treasons in parliament, in the " time of king Richard the Second, to the great " prejudice of the subject: it was therefore specially " provided, and enacted, by a statute in the first " year of the reign of king Henry the Fourth, " chapter the tenth, which is still in force, that " nothing should be declared and adjudged treason, " but what was ordained in that statute of the 25 " Edw. III. by which statute, all power of declaring " new treasons in parliament was taken away; and " that no precedent of any such declaration in par- " liament can be shewed since that time: all new " treasons, made by any act of parliament in the " reign of king Henry the Eighth, being by the " statute of the first year of queen Mary, chapter " the first, taken away, and restrained by the 25th " Edw. III. and likewise that, by another statute " of the first year of queen Mary, chapter the tenth, " all trials of treasons ought to be according to the " rules of the common law, and not otherwise.

" 3. That the foundation, upon which the im- " peachment was framed, was erroneous; for that " (besides that it was confessed on all hands, that " the laws of the kingdom were not subverted) an " endeavour to subvert the fundamental laws and " statutes of the realm, by force attempted, is not " treason, being only made felony by the statute of " the first year of queen Mary, chapter the twelfth; " which is likewise expired. That cardinal Wolsey,

" in the thirty-third year of king Henry the Eighth,
" was indicted only of a premunire, for an endeavour
" to bring in the imperial laws into this kingdom.
" And that an endeavour, or intention, to levy war,
" was made treason, only by a statute of the 13th
" Elizabeth, (a time very inquisitive for treason,)
" which expired with her life.

" 4. Lastly, that if any thing was alleged against
" the earl which might be penal to him, that it was
" not sufficiently and legally proved; for that by
" the statute of the first year of king Edward the
" Sixth, chapter the twelfth, no man ought to be
" arraigned, indicted, or condemned, of any treason,
" unless it be upon the testimony of two lawful and
" sufficient witnesses, produced in the presence of
" the party accused; unless the party confess the
" same: and if it be for words, within three months
" after the same spoken, if the party be within the
" kingdom: whereas there was in this case only
" one witness, sir Henry Vane, and the words
" spoken six months before."

The case being thus stated on the earl's behalf, the judgment of the lords, in whom the sole power of judicature was conceived to be, was by all men expected; the house of commons having declared, " that they intended not to make any reply to the " argument of law made by Mr. Lane, it being " below their dignity to contend with a private " lawyer." Indeed they had a more convincing way to proceed by; for the next day after that argument, sir Arthur Haslerig, brother-in-law to the lord Brooke, and an absurd, bold man, brought up by Mr. Pym, and so employed by that party to make any attempt, preferred a bill in the house of

commons, "for the attainder of the earl of Strafford "of high treason:" it being observed, that by what the earl had said for himself in the matter of fact and in matter of prudence, of the consequence of such an extraordinary proceeding; and by what had been said for him in the point of law; most sober men, who had been, and still were, full enough of dislike and passion against the earl, were not at all satisfied in the justice of the impeachment, or in the manner of the prosecution; and therefore, that the house of peers, which consisted of near one hundred and twenty, besides the bishops, and of whom fourscore had been constantly attending the trial, were not like to take upon them the burden of such a judgment as was expected.

The bill was received with wonderful alacrity, and immediately read the first and the second time, and so committed; which was not usual in parliaments, except in matters of great concernment and conveniency in the particular; or of little importance or moment to the general. Those who at first consented, upon slight information, to his impeachment, upon no other reason, but (as hath been said before) because they were only to accuse, and the lords to judge, and so thought to be troubled no more with it, being now as ready to judge, as they had been to accuse, finding some new reasons to satisfy themselves, of which one was, "They had "gone too far to sit still, or retire."

A day or two before the bill of attainder was brought into the house of commons, there was a very remarkable passage, of which the pretence was, "to make one witness, with divers circumstances, "as good as two;" though I believe it was directed

in truth to an end very foreign to that which was proposed. The words of the earl of Strafford, by which " his endeavour to alter the frame of govern- " ment, and his intention to levy war," should principally appear, were proved singly by sir Henry Vane; which had been often averred, and promised, should be proved by several witnesses; and the law was clear, " that less than two witnesses ought not " to be received in case of treason."

To make this single testimony appear as sufficient as if it had been confirmed by more, Mr. Pym informed the house of commons, " of the grounds " upon which he first advised that charge, and was " satisfied that he should sufficiently prove it. That " some months before the beginning of this par- " liament, he had visited young sir Henry Vane, " eldest son to the secretary, who was then newly " recovered from an ague; that being together, " and condoling the sad condition of the kingdom, " by reason of the many illegal taxes and pres- " sures, sir Harry told him, if he would call upon " him the next day, he would shew him some- " what that would give him much trouble, and " inform him what counsels were like to be followed " to the ruin of the kingdom; for that he had, in " perusal of some of his father's papers, accidentally " met with the result of the cabinet council upon " the dissolution of the last parliament, which com- " prehended the resolutions then taken.

" The next day he shewed him a little paper of the secretary's own writing; in which was contained the day of the month, and the results of several discourses made by several counsellors; with several hieroglyphics, which sufficiently ex-

" pressed the persons by whom those discourses " were made. The matter was of so transcendent a " nature, and the counsel so prodigious, with refer- " ence to the commonwealth, that he desired he " might take a copy of it; which the young gen- " tleman would by no means consent to, fearing " it might prove prejudicial to his father. But " when Mr. Pym informed him, that it was of ex- " treme consequence to the kingdom, and that a " time might probably come, when the discovery " of this might be a sovereign means to preserve " both church and state, he was contented that " Mr. Pym should take a copy of it; which he " did, in the presence of sir Henry Vane; and " having examined it together, delivered the ori- " ginal again to sir Henry. He said that he had " carefully kept this copy by him, without com- " municating the same to any body, till the be- " ginning of this parliament, which was the time " he conceived fit to make use of it; and that " then, meeting with many other instances of the " earl's disposition to the kingdom, it satisfied him " to move whatsoever he had moved against that " great person."

And having said thus much, he read the paper in his hand; in which the day of the month was set down, and his majesty to be present, and stating the question to be, " What was now to be " done? since the parliament had refused to give " subsidies for the supply of the war against Scot- " land." There were then written two *LL*'s and a *t* over, and an *I* and an *r*, which was urged, " could signify nothing but lord lieutenant of " Ireland;" and the words written and applied to that name were, " Absolved from rules of govern-

" ment; — Prosecute the war vigorously; — An " army in Ireland to subdue this kingdom—;" which was urged, " to comprehend the matter of the " earl's speech and advice:" that paper by fractions of words (without mentioning any formed speech) containing only the results of the several counsellors' advice. Before those letters which were ordered to signify the lieutenant of Ireland, were an *A.B.C.G.* which might be understood to signify, the archbishop of Canterbury his grace; and at those letters, some short, sharp expressions against parliaments, and thereupon fierce advice to the king. Next in the paper, was an *M* with an *r* over, and an *Ho*, which were to be understood for marquis Hamilton, who was master of the horse; and the words annexed thereunto seemed to be rough, but without a supplement signified nothing. Then there was an *L*, an *H*, and an *A*, which must be interpreted lord high admiral, which was the earl of Northumberland; and from that hieroglyphic proceeded only a few words, which implied advice to the king, "to be advised by his " parliament." Then there was *L^d Cott.* (which would easily be believed to signify the lord Cottington) with some expressions as sharp as those applied to the lieutenant of Ireland.

When he had read this paper, he added; " That " though there was but one witness directly in the " point, sir Henry Vane the secretary, whose " handwriting that paper was, whereof this was a " copy; yet he conceived, those circumstances of " his and young sir Henry Vane's having seen " those original results, and being ready to swear, " that the paper read by him was a true copy of " the other, might reasonably amount to the va-

"lidity of another witness: and that it was no "wonder, that the other persons mentioned in "that writing, who had given as bad counsel, "would not remember, for their own sakes, what "had passed in that conference; and that the earl "of Northumberland (who was the only good "counsellor in the pack) had remembered some of "the words, of a high nature, though he had for-"gotten the other."

When Mr. Pym had ended, young sir Harry Vane rose, in some seeming disorder; confessed all that the other had said; and added, "That "his father being in the north with the king the "summer before, had sent up his keys to his secre-"tary, then at Whitehall; and had written to him "(his son) that he should take from him those "keys, which opened his boxes where his writings "and evidences of his land were, to the end that he "might cause an assurance to be perfected which "concerned his wife; and that he having perused "those evidences, and despatched what depended "thereupon, had the curiosity to desire to see what "was in a red velvet cabinet which stood with the "other boxes; and thereupon required the key of "that cabinet from the secretary, as if he still "wanted somewhat towards the business his father "had directed; and so having gotten that key, he "found, amongst other papers, that mentioned by "Mr. Pym, which made that impression in him, that "he thought himself bound in conscience to com-"municate it to some person of better judgment "than himself, who might be more able to prevent "the mischiefs that were threatened therein; and "so shewed it to Mr. Pym; and being confirmed

" by him, that the seasonable discovery thereof " might do no less than preserve the kingdom, " had consented that he should take a copy there- " of; which to his knowledge he had faithfully " done: and thereupon had laid the original in its " proper place again, in the red velvet cabinet. " He said, he knew this discovery would prove " little less than his ruin in the good opinion of " his father; but having been provoked by the " tenderness of his conscience towards his common " parent, his country, to trespass against his natu- " ral father, he hoped he should find compassion " from that house, though he had little hopes of " pardon elsewhere."

The son no sooner sat down, than the father (who, without any counterfeiting, had a natural appearance of sternness) rose, with a pretty confusion, and said, " That the ground of his misfortune " was now discovered to him; that he had been " much amazed, when he found himself pressed " by such interrogatories, as made him suspect " some discovery to be made, by some person as " conversant in the counsels as himself: but he was " now satisfied to whom he owed his misfortunes; " in which, he was sure, the guilty person should " bear his share. That it was true, being in the " north with the king; and that unfortunate son " of his having married a virtuous gentlewoman, " (daughter to a worthy member then present,) " to whom there was somewhat in justice and " honour due, which was not sufficiently settled; " he had sent his keys to his secretary; not well " knowing in what box the material writings lay; " and directed him to suffer his son to look after

"those evidences which were necessary: that by "this occasion, it seemed, those papers had been "examined and perused, which had begot much "of this trouble. That for his part, after the "summons of this parliament, and the king's re-"turn to London, he had acquainted his majesty, "that he had many papers remaining in his hands, "of such transactions as were not like to be of "further use; and therefore, if his majesty "pleased, he would burn them, lest by any acci-"dent they might come into hands that might "make an ill use of them: to which his majesty "consenting, he had burned many; and amongst "them, the original results of those debates, of "which that which was read was pretended to be "a copy: that to the particulars he could say no-"thing more, than what he had upon his examina-"tion expressed, which was exactly true, and he "would not deny; though by what he had heard "that afternoon (with which he was surprised and "amazed) he found himself in an ill condition "upon that testimony."

This scene was so well acted, with such passion and gestures, between the father and the son, that many speeches were made in commendation of the conscience, integrity, and merit of the young man, and a motion made, "that the father might be en-"joined by the house to be friends with his son:" but for some time there was, in public, a great distance observed between them.

Many men wondered very much at the unnecessary relation of this story; which would visibly appear very ridiculous to the world, and could not but inevitably produce much scandal and incon-

venience to the father, and the son; who were too wise to believe, that those circumstances would add any thing to the credit of the former single testimony: neither was there ever after any mention of it in public, to move the judgment of those, who were concerned to be satisfied in what they were to do: and therefore some, who observed the stratagems used by that party to compass their own private ends, believed that this occasion was taken to publish those results, only to give the lord Cottington notice in what danger he was, that so he might wisely quit his mastership of the wards to the lord Say; who expected it, and might be able, by that obligation, to protect him from farther prosecution: and so that they meant to sacrifice the reputation of the secretary to the ambition of the lord Say. But without doubt (though this last consideration was very powerful with them) the true reason of the communication of this passage was, that they found it would be impossible to conceal their having received the principal information from the secretary, for their whole prosecution; by reason some of the committee, who were intrusted to prepare the charge against the earl of Strafford, and consequently were privy to that secret, were fallen from them; at least from their ends; and therefore they thought fit to publish this history of their intelligence, that it might be rather imputed to the conscience and curiosity of the son, than to the malice and perjury of the father.

The bill of attainder in few days passed the house of commons; though some lawyers, of great and known learning, declared, "that there was no

" ground or colour in law, to judge him guilty of " high treason:" and the lord Digby (who had been, from the beginning, of that committee for the prosecution, and had much more prejudice than kindness to the earl) in a very pathetical speech declared, " that he could not give his con- " sent to the bill; not only, for that he was un- " satisfied in the matter of law, but, for that he " was more unsatisfied in the matter of fact; those " words, upon which the impeachment was princi- " pally grounded, being so far from being proved " by two witnesses, that he could not acknowledge " it to be by one; since he could not admit sir " Harry Vane to be a competent witness, who " being first examined, denied that the earl spake " those words; and upon his second examination, " remembered some; and at his third the rest of " the words:" and thereupon related many circumstances, and made many sharp observations upon what had passed; which none but one of the committee could have done: for which he was presently after questioned in the house; but made his defence so well, and so much to the disadvantage of those who were concerned, that from that time they prosecuted him with an implacable rage and uncharitableness upon all occasions. The bill passed with only fifty-nine dissenting voices, there being near two hundred in the house; and was immediately sent up to the lords, with this addition, " that the commons would be ready the next " day in Westminster-hall, to give their lordships " satisfaction in the matter of law, upon what had " passed at the trial."

The earl was then again brought to the bar; the

lords sitting as before, in their robes; and the commons as they had done; amongst them, Mr. Saint-John, (whom his majesty had made his solicitor general since the beginning of parliament,) from his place, argued for the space of near an hour the matter of law. Of the argument itself I shall say little, it being in print, and in many hands; I shall only remember two notable propositions, which are sufficient characters of the person and the time. Lest what had been said on the earl's behalf, in point of law, and upon the want of proof, should have made any impression in their lordships, he averred, "That, in that way of bill, pri-"vate satisfaction to each man's conscience was "sufficient, although no evidence had been given "in at all:" and as to the pressing the law, he said, "It was true, we give law to hares and deer, "because they be beasts of chase; but it was never "accounted either cruelty, or foul play, to knock "foxes and wolves on the head as they can be found, "because they be beasts of prey." In a word, the law and the humanity were alike; the one being more fallacious, and the other more barbarous, than in any age had been vented in such an auditory.

The same day, as a better argument to the lords speedily to pass the bill, the nine and fifty members of the house of commons, who (as is said before) had dissented from that act, had their names written in pieces of parchment or paper, under this superscription, STRAFFORDIANS, *or enemies to their country;* and those papers fixed upon posts, and other the most visible places about the city; which was as great and destructive a violation of the privileges and freedom of parliament, as

can be imagined: yet, being complained of in the house, not the least countenance was given to the complaint, or the least care taken for the discovery.

The persons, who had still the conduct of the designs, began to find, that their friends abroad (of whose help they had still great need, for the getting petitions to be brought to the house; and for all tumultuous appearances in the city; and negociations with the common council) were not at all satisfied with them, for their want of zeal in the matter of religion; and, though they had branded as many of the bishops, and others of the prelatical party, as had come in their way; and received all petitions against the church with encouragement: yet, that there was nothing done, or visibly in projection to be done, towards lessening their jurisdiction; or indulging any of that liberty to their weak brethren, which they had from the beginning expected from them. And then, the discourse of their ambition, and hopes of preferment at court, was grown public, and raised much jealousy of them.

But the truth is, they who had made in their hearts the most destructive vows against the church, never durst communicate their bloody wishes to their best friends, whose authority gave them their greatest credit. For besides that their own clergy, whose hands they produced in great numbers to complaints against the innovations, which had (as they said) been introduced; and against the ceremonies, which had been in constant practice since the reformation, as well as before; were far from being of one mind in the matter or manner of what they wished should be altered; as appeared when-

ever they appeared before the house, or a committee, when any of them were asked questions they did not expect; there was less consent amongst their lay-friends, in ecclesiastical affairs, than amongst the other.

The earl of Bedford had no desire that there should be any alteration in the government of the church; and had always lived towards my lord of Canterbury himself with all respect and reverence, and frequently visited and dined with him; subscribed liberally to the repair of St. Paul's church, and seconded all pious undertakings: though, it is true, he did not discountenance notoriously those of the clergy who were unconformable.

The earl of Essex was rather displeased with the person of the archbishop, and some other bishops, than indevoted to the function; and towards some of them he had great reverence and kindness, as bishop Moreton, bishop Hall, and some other of the less formal and more popular prelates: and he was as much devoted as any man to the Book of Common Prayer, and obliged all his servants to be constantly present with him at it; his household chaplain being always a most conformable man, and a good scholar.

In truth, in the house of peers there were only at that time taken notice of, the lords Say and Brooke, and they believed to be positive enemies to the whole fabric of the church, and to desire a dissolution of that government; the earl of Warwick himself having never discovered any aversion to episcopacy, and much professed the contrary.

In the house of commons, though of the chief leaders, Nathaniel Fiennes, and young sir Harry

Vane, and shortly after Mr. Hambden (who had not before owned it) were believed to be for root and branch; which grew shortly after a common expression, and discovery of the several tempers: yet Mr. Pym was not of that mind, nor Mr. Hollis, nor any of the northern men, or those lawyers who drove on most furiously with them: all who were pleased with the government itself of the church.

The first design that was entertained against the church; and which was received in the house of commons with a visible countenance and approbation of many, who were neither of the same principles or purpose; was a short bill that was brought in, "to take away the bishops' votes in parliament; "and to leave them out in all commissions of the "peace, and with relation to any temporal affairs." This was contrived, with great deliberation and preparation, to dispose men to consent to it: and to this many of the house of peers were much disposed; and amongst them, none more than the earl of Essex, and all the popular lords; who observed, "that they seldom carried any thing "which directly opposed the king's interest, by "[reason of] the number of the bishops, who, for "the most part, unanimously concurred against it, "and opposed many of their other designs: and "they believed that it could do the church no "harm, by the bishops having fewer diversions "from their spiritual charges."

In the house of commons, they used that, and other arguments, to remove the prejudice from it; and, as there were many who were persuaded, that the passing that bill would be no prejudice; and were as unwilling, that the bishops should be jus-

tices of peace, and in any other secular commissions, as the lords were that they should not sit with them: so they prevailed with others, who heartily desired that there might be no such diminution of their honour and authority, by persuading them, "That there was so great a concurrence "towards the passing this bill; and so great a "combination throughout the nation against the "whole government of the church, and a resolu- "tion to destroy it absolutely: in which the Scots "were so resolutely engaged, that they discoursed "in all companies, that it was impossible for a firm "peace to be preserved between the nations, if "bishops were not taken away; and that the army "would never march out of the kingdom, till that "were brought to pass: but that if this bill were "once passed, a greater number in both houses "would be so well satisfied, that the violenter "party would be never able to prosecute their "desires." And this reason did prevail over many men of excellent judgments, and unquestionable affections; who did in truth at that time believe, "that the passing this act was the only expedient "to preserve the church:" insomuch, as when it was brought into the house, it found a better reception than was expected; and some men, who, others thought, would have opposed it, spake on its behalf, expressing their desire "that it might "pass."

There was a difference in opinion in this debate, between two persons, who had been never known to differ in the house, and the entire friendship they had for each other was very remarkable; which administered much pleasure to very many who

loved neither of them. When the bill was put to the question, Mr. Hyde (who was from the beginning known to be an enemy to it) spake very earnestly "for the throwing it out;" said, "It was "changing the whole frame and constitution of "the kingdom, and of the parliament itself: that, "from the time that parliaments began, there had "never been one parliament, when the bishops "were not part of it: that if they were taken out "of the house, there would be but two estates left "out; for that they as the clergy were the third "estate, and being taken away, there was nobody "left to represent the clergy: which would introduce another piece of injustice, which no other "part of the kingdom could complain of, who were "all represented in parliament, and were therefore "bound to submit to all that was enacted, because "it was upon the matter with their own consent: "whereas, if the bishops were taken from sitting "in the house of peers, there was nobody who "could pretend to represent the clergy; and yet "they must be bound by their determinations."

When he had done, the lord Falkland, who always sat next to him, (which was so much taken notice of, that, if they came not into the house together, as usually they did, every body left the place for him that was absent,) suddenly stood up, and declared himself "to be of another opinion; "and that, as he thought the thing itself to be "absolutely necessary for the benefit of the church, "which was in so great danger; so he had never "heard, that the constitution of the kingdom "would be violated by the passing that act; and "that he had heard many of the clergy protest,

" that they could not acknowledge that they were " represented by the bishops. However we might " presume, that if they could make that appear, " that they were a third estate, that the house of " peers (amongst whom they sat, and had yet their " votes) would reject it." And so, with some facetiousness, answering some other particulars, concluded, " for the passing the act."

The house was so marvellously delighted, to see the two inseparable friends divided in so important a point, that they could not contain from a kind of rejoicing; and the more, because they saw Mr. Hyde was much surprised with the contradiction; as in truth he was; having never discovered the least inclination in the other towards such a compliance: and therefore they entertained an imagination and hope that they might work the lord Falkland to a farther concurrence with them. But they quickly found themselves disappointed; and that, as there was not the least interruption of close friendship between the other two; so, when the same argument came again into debate, about six months after, the lord Falkland changed his opinion, and gave them all the opposition he could: nor was he reserved in acknowledging, " that he " had been deceived, and by whom;" and confessed to his friends, with whom he would deal freely, " that Mr. Hambden had assured him, that " if that bill might pass, there would be nothing " more attempted to the prejudice of the church :" which he thought, as the world then went, would be no ill composition.

This bill, for taking away the bishops' votes out of the house of peers, produced another discovery,

which cast the conductors farther behind, than they were advanced by their conquest amongst the commons; and disquieted them much more, than the other had exalted them. How currently soever it had passed in the lower house; when it was brought to the upper, the lords gave it not so gracious a reception as was expected: many of the greatest men of that house grew weary of the empire which the others had exercised over them; and some, who had gone with them, upon their observation that they had worse designs than they owned, fell from them, and took the opportunity to discover themselves, upon the debate of this bill; against which they inveighed with great sharpness; and blamed the house of commons, "for presuming to meddle with an affair, that so immediately "concerned them: that if they might send up a "bill this day, at once to take out one whole bench "from the house, as this would do the bishops, "they might to-morrow send another, to take "away the barons, or some other degree of the "nobility:" with many more arguments, as the nature of the thing would easily administer; with such warmth and vigour as they had not before expressed: insomuch as, though the other party, which had not hitherto been withstood, set up their rest upon the carrying it; supplying their other arguments with that, "How much the house of "commons, which best knew the temper and ex-"pectation of the nation, would resent their not "concurring with them in a remedy they judged "so necessary; and what the consequence might "be, of such a breach between the two houses, "they trembled to think; since the kingdom had

" no hope of being preserved but by their union, " and the effects of their wisdom, in removing all " things, and all persons, out of the way, which " were like to obstruct such a thorough reforma- " tion, as the kingdom needs and expects;" all which prevailed so little, that the house could not be prevailed with, so much as to commit the bill, (a countenance they frequently give to bills they never intend to pass,) but at the second reading it, they utterly cast it out.

This unexpected and unimagined act cast such a damp upon the spirits of the governing party in both houses, that they knew not what to do: the mischiefs which were in view, by this discovery of the temper of the house of peers, had no bottom; they were not now sure, that they should be able to carry any thing; for the major part, which threw out this bill, might cross them in any thing they went about; besides the influence it would have in the house of commons, and every where else; for they very well knew, how many of their followers therefore followed them, because they believed they would carry all before them.

However, that their spirits might not be thought to fail, they made haste to proceed in all the angry and choleric things before them: to the trial of the earl of Strafford; impeaching several bishops for innovations, and the like; the house of commons being very diligent to kindle those fires which might warm the peers: and that the bishops might see how little they had gotten, by obstructing the other bill, they prepared a very short bill, " for the utter eradication of bishops, deans, and " chapters; with all chancellors, officials, and all

" officers, and other persons belonging to either " of them :" which they prevailed with sir Edward Deering, a man very opposite to all their designs, (but a man of levity and vanity; easily flattered, by being commended,) who presented it to the house from the gallery, with the two verses in Ovid, the application whereof was his greatest motive;

Cuncta prius tentanda, sed immedicabile vulnus
Ense recidendum est, ne pars sincera trahatur.

He took notice " of the great moderation and " candour of the house, in applying so gentle a " remedy, by the late bill, to retrench the ex- " orbitances of the clergy: hoping that the prun- " ing and taking off a few unnecessary branches " from the trunk, the tree might prosper the " better; that this mortification might have mend- " ed their constitution, and that they would the " more carefully have intended their health: but " that this soft remedy had proved so ineffectual, " that they were grown more obstinate and incor- " rigible; so that it was now necessary to put the " axe to the root of the tree;" and thereupon desired, " that the bill might be read."

As soon as the title of it was read, (which was almost as long as the bill itself,) Mr. Hyde moved with great warmth, " that the bill might not be " read: that it was against the custom and rule of " parliament, that any private person should take " upon him (without having first obtained the " leave and direction of the house) to bring in a " new act, so much as to abrogate and abolish any " old single law; and therefore, that it was a won- " derful presumption in that gentleman, without

" any communication of his purpose, or so much " as a motion that he might do it, to bring in a " bill, that overthrew and repealed so many acts " of parliament, and changed and confounded the " whole frame of the government of the king- " dom:" and therefore desired, " that it might " be rejected." The gentleman who brought it in made many excuses " of his ignorance in the cus- " toms of parliament, having never before served " in any;" and acknowledged, " that he had never " read more than the title of the bill; and was " prevailed with by his neighbour who sat next to " him (who was sir Arthur Haslerig) to deliver " it;" which he saw would have been done by somebody else. Though the rejecting it was earnestly urged by very many; and ought, by the rules of parliament, to have been done; yet, all the other people as violently pressed the reading it; and none so importunately as Saint-John, who was now the king's solicitor, (who in truth had drawn it:) he said, " nobody could judge of a bill " by the title, which might be false; and this bill, " for aught any man knew to the contrary, at least, " for aught he and many others knew, might con- " tain the establishing the bishops, and granting " other immunities to the church; instead of pur- " suing the matter of the title:" and others, as uningeniously declaring, " that our orders are " in our own power, and to be altered, or dis- " pensed with, as we see cause:" many out of curiosity desiring to hear it read; and more to shew the lords that they would not abate their mettle; upon their declaring their pleasure, the bill was at last read; and no question being to be

put, upon the first reading, it was laid by, and not called upon in a long time after; many men being really persuaded, that there was no intention to pursue it; and that it was only brought in, to manifest a neglect towards the lords.

When the house grew entangled in multiplicity of business and despatches now, the northern gentlemen, at least they who were most active, and had most credit, (as Hotham, and Cholmely, and Stapleton,) were marvellously solicitous to despatch the commitment of [the bill "for taking "away] the court of York;" and having after great debate, and hearing what all parties interested could offer, gotten the committee to vote, "That it was an illegal commission, and very pre-"judicial to the liberty and the property of his ma-"jesty's subjects of those four northern counties, "where that jurisdiction was exercised;" they called upon Mr. Hyde (the chairman) to make the report: and the house having concurred in, and confirmed, the same vote; they appointed him "to prepare himself to deliver the opinion of the "house (they having confirmed the vote of the "committee) at a conference with the house of "peers, and to desire their concurrence in it; "and that they would thereupon be suitors to the "king, that there might be no more commissions "of that kind granted:" for they had a great apprehension, that either upon the earl of Strafford's resignation, or his death, (which they resolved should be very shortly,) they should have a new president put over them.

Mr. Hyde, at the conference in the painted chamber, (being appointed by the house to manage

it,) told the lords, "that the four northern counties "were suitors to their lordships, that they might "not be distinguished from the rest of his majesty's "subjects, in the administration of his justice, and "receiving the fruits thereof; that they only were "left to the arbitrary power of a president and "council, which every day procured new authority "and power to oppress them:" he told them, that till "[the thirty-first] year of king Harry the "Eighth, the administration of justice was the same "in the north, as in the west, or other parts of the "realm; that about that time there was some in-"surrection in that country, which produced great "disorders and bloodshed, which spread itself to "the very borders of Scotland: whereupon that "king issued out a commission to the archbishop "of York, and the principal gentlemen of those "counties, and some learned lawyers, to examine "the grounds of all those disorders, and to proceed "against the malefactors with all severity, according "to the laws of the land." He read that first commission to them; which appeared to be no other, than a bare commission of oyer and terminer. "It was found that this commission did much good, "and therefore it was kept on foot for some time "longer than such commissions use to be; and it "was often renewed after, but still in the same "form, or very little alteration, till queen Eliza-"beth's time; and then there was some alteration "in the commission itself; besides that, it had "reference to instructions, which contained matters "of state upon some emergent occasions: there "were more and greater alterations, both in the "commission and instructions, in the time of king

" James, when the lord Scroop was president; and " that, when the lord Strafford was first made pre- " sident, they were more enlarged; and yet he had " procured new additions to be made twice after." The instructions of the several times were read; and the alterations observed; and some precedents very pertinently and smartly urged; in which it appeared, that great men had been very severely sentenced, in no less penalty than of a premunire, for procuring and executing such commissions: and concluded with " desiring the lords to concur " in the same sense, the house of commons had " expressed themselves to be of, with reference to " the commission and instructions."

The speech, and argument, had a wonderful approbation in both houses; where he got great credit by it: and the earl of Bath, who was to report it, and had no excellent or graceful pronunciation, came himself to Mr. Hyde, and " desired " a copy of it, that he might not do him wrong in " the house, by the report;" and having received it, it was read in the house, and by order entered, and the paper itself affixed to their Journal; where it still remains; and the house of peers fully concurred with the commons in their vote: so that there was not, in many years after, any attempt, or so much as mention of another commission.

And the northern men were so well pleased, that they resolved to move the house, " to give Mr. Hyde " public thanks for the service he had done the " house;" but the principal leaders diverted them from it, by saying, " that he had too much credit " already, and needed not such an addition, as he " behaved himself." However, those northern men

themselves continued marvellously kind; and on his behalf, on all occasions, opposed any combination of the most powerful of them against him; of which somewhat will be said hereafter.

In the afternoon of the same day (when the conference had been in the painted chamber upon the court of York) Mr. Hyde going to a place called Piccadilly, (which was a fair house for entertainment and gaming, and handsome gravel walks with shade, and where were an upper and lower bowling-green, whither very many of the nobility, and gentry of the best quality, resorted, both for exercise and conversation,) as soon as ever he came into the ground, the earl of Bedford came to him; and after some short compliments upon what had passed in the morning, he told him, "He was glad he was "come thither, for there was a friend of his in the "lower ground, who needed his counsel." He then lamented "the misery the kingdom was like "to fall into, by their own violence, and want of "temper, in the prosecution of their own happi-"ness." He said, "This business concerning the "earl of Strafford was a rock, upon which we "should all split, and that the passion of the parlia-"ment would destroy the kingdom: that the king "was ready to do all they could desire, if the life of "the earl of Strafford might be spared: that he "was satisfied, that he had proceeded with more "passion in many things, than he ought to have "done, by which he had rendered himself useless "to his service for the future; and therefore he "was well contented, that he might be made inca-"pable of any employment for the time to come; "and that he should be banished, or imprisoned for

" his life, as they should choose: that if they would
" take his death upon them, by their own judica-
" tory, he would not interpose any act of his own
" conscience: but since they had declined that way,
" and meant to proceed by an act of parliament, to
" which he himself must be a party, that it could
" not consist with his conscience, ever to give his
" royal assent to that act; because, having been
" present at the whole trial," (as he had been, in a box provided on purpose, *incognito*, though conspicuous enough,) " and heard all the testimony they
" had given against him, and he had heard nothing
" proved, by which he could believe that he was a
" traitor, either in fact or in intention: and there-
" fore his majesty did most earnestly desire, that
" the two houses would not bring him a bill to
" pass, which in conscience he could not, and there-
" fore would not consent."

The earl said; " Though he yet was satisfied
" so well in his own conscience, that he believed
" he should have no scruple in giving his own vote
" for the passing it," (for it yet depended in the lords' house,) " he knew not how the king could be
" pressed to do an act so contrary to his own con-
" science; and that, for his part, he took all the
" pains he could to persuade his friends to decline
" their violent prosecution, and to be contented
" with the remedy proposed by the king; which
" he thought might be rendered so secure, that
" there need remain no fears of that man's ever
" appearing again in business: and that how diffi-
" cult a work soever he found it to be, he should
" not despair of it, if he could persuade the earl of
" Essex to comply; but that he found him so ob-

" stinate, that he could not in the least degree pre-
" vail with him; that he had left his brother, the
" earl of Hertford, (who was that day made a mar-
" quis,) in the lower ground, walking with him,
" who he knew would do all he could; and he de-
" sired Mr. Hyde to walk down into that place,
" and take his turn, to persuade him to what was
" reasonable;" which he was very willing to do.

He found the marquis and the earl walking there together, and no other persons there; and as soon as they saw him, they both came to him; and the marquis, after a short salutation, departed, and left the other two together; which he did purposely. The earl began merrily, in telling him, " That he
" had that morning performed a service, which he
" knew he did not intend to do; that by what he
" had said against the court of York, he had revived
" their indignation against the earl of Strafford; so
" that he now hoped, they should proceed in their
" bill against him with vigour, (whereas they had
" slept so long upon it,) which he said was the
" effect, of which he was sure he had no mind to
" be the cause." Mr. Hyde confessed, " he had
" indeed no such purpose; and hoped, that some-
" what he had said might put other thoughts into
" them, to proceed in another manner upon his
" crimes: that he knew well, that the cause of
" their having slept so long upon the bill, was their
" disagreement upon the point of treason, which
" the longer they thought of, would administer the
" more difficulties: but that, if they declined that,
" they should all agree, that there were crimes and
" misdemeanours evidently enough proved, to de-
" serve so severe a censure, as would determine all

"the activity hereafter of the earl of Strafford, that "might prove dangerous to the kingdom; or mis- "chievous to any particular person, to whom he "was not a friend."

He shook his head, and answered, "Stone-dead "hath no fellow: that if he were judged guilty in "a premunire, according to the precedents cited "by him; or fined in any other way; and sen- "tenced to be imprisoned during his life; the king "would presently grant him his pardon and his "estate, release all fines, and would likewise give "him his liberty, as soon as he had a mind to "receive his service; which would be as soon as "the parliament should be ended." And when he was ready to reply to him, the earl told him familiarly, "that he had been tired that afternoon upon "that argument; and therefore desired him to "continue the discourse no longer then; assuring "him, he would be ready to confer with him upon "it at any other time."

And shortly after, Mr. Hyde took another opportunity to speak freely with him again concerning it, but found him upon his guard; and though he heard all the other would say, with great patience, yet he did not at all enlarge in his answers, but seemed fixed in his resolution; and when he was pressed, "how unjustifiable a thing it was, for any "man to do any thing which his conscience in- "formed him was sinful; that he knew him so "well, that if he were not satisfied in his own con- "science, of the guilt of the earl of Strafford, the "king could never be able to oblige him to give "his vote for that bill; and therefore he wondered, "how he could urge the king to do an act which

" he declared to be so much against his conscience, " that he neither could, nor would, ever give his " royal assent to that bill;" to which he answered more at large, and with some commotion, (as if he were in truth possessed with that opinion himself,) " That the king was obliged in conscience to con- " form himself, and his own understanding, to the " advice and conscience of his parliament:" which was a doctrine newly resolved by their divines, and of great use to them for the pursuing their future counsels.

Notwithstanding all this, the bill had not that warm reception in the house of peers, that was expected; but, after the first reading, rested many days; and being then read the second time, depended long at the committee; few men believing, upon consideration of the affections and parts of the several lords, that of the fourscore, who were present at the trial, above twenty would ever have consented to that act: besides, it was not believed, now the formal trial and way of judicature was waved, the bishops would so stupidly (to say no worse) exclude themselves from voting in a law which was to be an act of parliament.

But there happened about that time two accidents, which (though not then, or it may be since, taken notice of, as of any moment or relation to that business) contributed strangely to the passing that bill; and so to the fate of that great person. The first, a discovery of some meetings and discourses, between some persons of near relation to his majesty's service, and some officers of the army, about the high proceedings of the parliament; and of some expedients, that might reduce them to a

better temper; which were no sooner intimated to some of the great managers, than the whole was formed and shaped into "a formidable and bloody "design against the parliament." The second, the sudden death of the earl of Bedford. Of both which it will be necessary to say somewhat; that it may be observed, from how little accidents, and small circumstances, by the art and industry of those men, the greatest matters have flowed, towards the confusion we now labour under.

Some principal officers of the army, who were members of the house of commons, and had been caressed, both before and after the beginning of the parliament, by the most popular agents of both houses; and had in truth contributed more to their designs, than was agreeable to their duty, and the trust reposed in them by the king; found themselves now not so particularly considered as they expected, by that party; and their credit in other places, and particularly in the army, to be lessened: for that there was visibly much more care taken for the supply of the Scottish army, than of the king's; insomuch, that sometimes money that was assigned and paid for the use of the king's army, was again taken away, and disposed to the other; and yet, that the parliament much presumed, and depended, upon their interest in, and power to dispose, the affections of that army.

Therefore, to redeem what had been done amiss, and to ingratiate themselves to his majesty's favour, they bethought themselves how to dispose, or at least to pretend that they would dispose, the army to some such expressions of duty and loyalty towards the king, as might take away all hope from

other men, that it might be applied to his disservice: and to that purpose, they had conference, and communication, with some servants of a more immediate trust and relation to both their majesties; through whom they might convey their intentions and devotions to the king, and again receive his royal pleasure, and direction, how they should demean themselves. For aught I could ever observe, by what was afterwards reported in the house of commons; or could learn from those who were conversant with all the secrets of that design; there was never the least intention of working farther upon the affections of the army, than to preserve them from being corrupted, or made use of, for the imposing unjust or unreasonable things upon the king: and all that ever the king so much as consented should be done by them, was, that as most counties in England, or rather, the factious and seditious persons in most counties, had been induced to frame and subscribe petitions to the parliament, against the established government of the church, with other clauses, scandalous to the government of the state too; [so] the officers of the army should subscribe this following petition; which was brought ingrossed to his majesty for his approbation, before they would presume to recommend it to any for their subscription.

To the king's most excellent majesty; the lords spiritual and temporal; the knights, citizens, and burgesses, now assembled in the high court of parliament.

"The humble petition of the officers and soldiers "of the army,

"Humbly sheweth, That although our wants "have been very pressing, and the burden we are

" become unto these parts (by reason of those " wants) very grievous unto us: yet so have we " demeaned ourselves, that your majesty's great " and weighty affairs, in this present parliament, " have hitherto received no interruption, by any " complaint, either from us, or against us; a temper " not usual in armies; especially in one destitute " not only of pay, but also of martial disci- " pline, and many of its principal officers; that we " cannot but attribute it to a particular blessing of " Almighty God, on our most hearty affections " and zeal to the common good, in the happy " success of this parliament; to which, as we " should have been ready hourly to contribute our " dearest blood, so now that it hath pleased God " to manifest his blessing so evidently therein, we " cannot but acknowledge it with thankfulness; as " likewise his great mercy, in that he hath inclined " your majesty's royal heart so to cooperate with " the wisdom of the parliament, as to effect so " great and happy a reformation upon the former " distempers of this church and commonwealth: " as first, in your majesty's gracious condescend- " ing to the many important demands of our neigh- " bours of the Scottish nation; secondly, in grant- " ing so free a course of justice against all delin- " quents of what quality soever; thirdly, in the " removal of all those grievances, wherewith the " subjects did conceive either their liberty of per- " sons, property, or estate, or freedom of con- " science, prejudiced; and lastly, in the greatest " pledge of security that ever the subjects of Eng- " land received from their sovereign, the bill of " triennial parliament.

" These things so graciously accorded unto by " your majesty, without bargain or compensation, " as they are more than expectation or hope could " extend unto, so now certainly they are such, as " all loyal hearts ought to acquiesce in with thank- " fulness; which we do with all humility, and do " at this time, with as much earnestness as any, " pray, and wish, that the kingdom may be settled " in peace and quietness, and that all men may, at " their own homes, enjoy the blessed fruits of your " wisdom and justice.

" But it may please your excellent majesty, and " this high court of parliament, to give us leave, " with grief and anguish of heart, to represent unto " you, that we hear that there are certain persons " stirring and pragmatical, who, instead of render- " ing glory to God, thanks to your majesty, and " acknowledgment to the parliament, remain yet " as unsatisfied and mutinous as ever; who, whilst " all the rest of the kingdom are arrived even be- " yond their wishes, are daily forging new and " unseasonable demands; who, whilst all men of " reason, loyalty, and moderation, are thinking how " they may provide for your majesty's honour and " plenty, in return of so many graces to the subject, " are still attempting new diminutions of your " majesty's just regalities, which must ever be no " less dear to all honest men than our own free- " doms; in fine, men of such turbulent spirits, " as are ready to sacrifice the honour and welfare " of the whole kingdom to their private fancies, " whom nothing else than a subversion of the whole " frame of government will satisfy: far be it from " our thoughts to believe, that the violence and

" unreasonableness of such kind of persons can
" have any influence upon the prudence and justice
" of the parliament. But that which begets the
" trouble and disquiet of our loyal hearts, at
" this present, is, that we hear those ill-affected
" persons are backed in their violence by the mul-
" titude and the power of raising tumults; that
" thousands flock at their call, and beset the par-
" liament, and Whitehall itself; not only to the
" prejudice of that freedom which is necessary to
" great councils and judicatories, but possibly to
" some personal danger of your sacred majesty,
" and the peers.

" The vast consequence of these persons' malig-
" nity, and of the licentiousness of those multitudes
" that follow them, considered, in most deep care
" and zealous affection for the safety of your sacred
" majesty, and the parliament; our humble petition
" is, that in your wisdom you would be pleased to
" remove such dangers, by punishing the ring-
" leaders of these tumults, that your majesty and
" the parliament may be secured from such inso-
" lences hereafter. For the suppressing of which,
" in all humility we offer ourselves to wait upon
" you, (if you please,) hoping we shall appear as
" considerable in the way of defence, to our gra-
" cious sovereign, the parliament, our religion, and
" the established laws of the kingdom, as what
" number soever shall audaciously presume to vio-
" late them: so shall we, by the wisdom of your
" majesty and the parliament, not only be vindi-
" cated from precedent innovations, but be secured
" from the future, that are threatened, and likely

" to produce more dangerous effects than the " former.

" And we shall pray," &c.

His majesty having read this petition, and conceiving that the authority of the army might seem of as great importance for the good reception of so much reason and justice, as the subscription of a rabble had been alleged often to be, for the countenance of what in truth was mutinous and seditious, said, " that he approved well enough of it, and was " content that it might be subscribed by the officers " of the army, if they desired it." The officer, who presented the draught to his majesty, told him, " that very few of the army had yet seen it: and " that it would be a great countenance to it, if, " when it was carried to the principal officers who " were first to sign it, any evidence might be given " to them, that it had passed his majesty's appro- " bation; otherwise possibly they might make " scruple for fear of offending him." Thereupon his majesty took a pen, and writ at the bottom of the petition C. R. as a token that he had perused and allowed it: and so the petition was carried down into the country where the army lay, and was signed by some officers; but was suddenly quashed, and no more heard of, till in the discovery of the plot: of which more in its place.

The meetings continuing, between those officers of the army and some servants of his majesty's, to the ends aforesaid; others of the army, who had expressed very brisk resolutions towards the service, and were of eminent command and authority with

the soldier, were by special direction introduced into those councils (all persons obliging themselves by an oath of secrecy, not to communicate any thing that should pass amongst them) for the better executing what should be agreed.

At the first meeting, the person that was so introduced, after he had heard the calm propositions of the rest, and that "their design was, only to "observe and defend the laws, that neither the "arguments of the Scots, nor the reputation of "their army, might compel the king to consent to "the alteration of the government of the church, "nor to remove the bishops out of the house of "peers, which would, in a great degree, produce "an alteration; or the power of any discontented "persons, by their tumultuary petitions, impose "upon, or diminish, the just legal power of the "king," told them, "Those resolutions would pro-"duce very little effects for his majesty's service; "that there was but one way to do his majesty "notable service, which was by bringing up the "army presently to London, which would so awe "the parliament, that they would do any thing the "king commanded." There was not (as I have been credibly informed) a man in the company, that did not perfectly abhor (or seemed so to do) that odious proposition; but contented themselves with making such objections against it, as rendered it ridiculous and unpracticable; and so the meeting, for that time, dissolved.

Whether the person that proposed this desperate device, did it only as a bait, to draw an opinion from other men, (for he was of a perfect dislike and malice to some of the company,) or whether the

disdain to see his counsel rejected, and the fear that it might be discovered to his disadvantage, wrought upon him, I know not; but the same, or the next day, he discovered all, and more than had passed, to some of those who seemed to take most care for the public; intimated to them, "how he "was startled with the horror of the design, and "how faithfully he resolved to serve the common-"wealth, or to lose his life in the attempt:" yet at the same time acted his part at court, with all possible demonstration of abhorring the proceedings of the parliament, to that degree, that he offered "to undertake, with a crew of officers and good "fellows, (who, he said, were at his disposal,) to "rescue the earl of Strafford from the lieutenant "of the Tower, as he should bring him to his trial, "and so to enable him to make an escape into "foreign parts."

The discovery being thus made, to the earl of Bedford, the lord Say, and the lord Kimbolton, and, no doubt, by them communicated to their chief associates; as dangerous as the design was afterwards alleged to be, it was not published in three months after to the houses, against whom the treason was intended; nor till long after the death of the earl of Bedford: who, no doubt, rather desired to bind up those wounds which were made, than to make them wider, by entertaining new jealousies between king and people; and would not consent to the extending and extorting conclusions, which did not naturally flow from the premises; without which, this so useful a treason to them could not have been made up.

But as they thought not fit (as I said before) to

publish this whole discovery till near three months after, so they made extraordinary use of it by parts, from the instant that they received the secret; it being always their custom, when they found the heat and distemper of the house (which they endeavoured to keep up, by the sharp mention and remembrance of former grievances and pressures) in any degree allayed, by some gracious act, or gracious profession of the king, to warm and inflame them again with a discovery, or promise of a discovery, of some notable plot and conspiracy against themselves, "to dissolve the parliament by the "papists;" or some other way, in which they would be sure that somewhat always should reflect upon the court. Thus they were sometimes informing "of great multitudes of papists gathering together "in Lancashire;" then "of secret meetings in "caves, and under ground in Surrey; letters from "beyond sea, of great provisions of arms making "there for the catholics of England;" and the like; which upon examination always vanished: but for the time (and they were always applied in useful articles of time) served to transport common minds with fears and apprehensions, and so induced them to comply in sense with those, who were like soonest to find remedies for those diseases which none but themselves could discover. And in this progress there sometimes happened strange accidents for the confirmation of their credit.

Whilst they were full of clamour against the papists, upon the instances of some insolences and indiscretions committed by them, during the late intervals of parliament, (and mentioned before,) especially upon a great alacrity expressed, and

contribution raising, the year before, for advancing the war with Scotland; an order was made, "that the justices of peace of Westminster should "carefully examine, what strangers were lodged "within their jurisdiction; and that they should "administer the oaths of allegiance and supre-"macy to all suspected for recusancy, and proceed "according to those statutes." An afternoon being appointed for that service, in Westminster-hall, and many persons warned to appear there, amongst the rest one —— James, a papist, appeared, and being pressed by Mr. Hayward, a justice of peace, to take the oaths, suddenly drew out his knife, and stabbed him; with some reproachful words, "for his persecuting poor catholics." This strange, unheard of outrage, upon the person of a minister of justice executing his office by an order of parliament, startled all men; the old man sinking with the hurt, though he died not of it. And though, for aught I could ever hear, it proceeded only from the rage of a sullen varlet (formerly suspected to be crazed in his understanding) without the least confederacy or combination with any other; yet it was a great countenance to those, who were before thought over apprehensive and inquisitive into dangers; and made many believe it rather a design of all the papists of England, than a desperate act of one man, who could never have been induced to it, if he had not been promised assistance from the rest.—But to the point.

This discovery of the plot concerning the army being made about the middle of April, which was the end of the earl of Strafford's trial, they for the present made no farther use of it than might con-

tribute to their ends in that business; reserving the rest (as was said before) to be applied in more necessary seasons: therefore, about the time that the bill of attainder was preferred, that no interposition from the court might discountenance or hinder that great work, Mr. Pym one day informed the house of commons, "that he had great cause "to fear, there was at that time as desperate a "design and conspiracy against the parliament, as "had been in any age; and he was in doubt, per-"sons of great quality and credit at court had "their hands in it: that several officers had been "treated with in London to raise men, under pre-"tence that they should go for Portugal; but that "the Portugal ambassador being conferred with "about it, professed that he knew nothing of it: "and that no person had any authority or promise "from him to that purpose:" (and it is true, there had been some idle discourses in a tavern between some officers, about raising men for Portugal, which was immediately carried to Mr. Pym; as all tavern and ordinary discourses were:) "that, "for the present, he might not acquaint them with "other particulars, which might hinder their "further discovery; only desired, that a message "might be sent to the lords, to desire them to ap-"point a committee to examine such witnesses as "should be produced, for the discovery of a plot "against the parliament; and that in the mean "time they would join in a message to the king, "to desire his majesty that he would not, for "some few days, grant any pass to any of his "servants to pass beyond the seas; saying, that

" he believed some men's consciences would tempt " them to make an escape, when they heard of this " examination."

Such a committee was appointed to examine, and such a message sent to his majesty, as was desired. But in the mean time, some persons who had been at the tavern, and talked of raising men for Portugal; and others who had been at the conference before mentioned, where the proposition was for bringing up the army; finding that what had passed so privately, and amongst them, had been discovered, and was like to pass a very severe inquisition, by them who made glosses and comments as they pleased, upon what other men spake or did; and not knowing how much more than the truth had been informed, or what interpretation should be made of that which was the truth; resolved not to trust themselves with such judges, (whose formality was first to imprison, and after, at their leisure, to examine,) and so fled into France.

This was no sooner known and published, than it gave great credit and reputation to Mr. Pym's vigilancy and activity; for it now appeared, there was some notable mischief intended, upon the discovery whereof, such eminent persons were fled. And in this disorder and trouble of mind, men fearing according as they were directed, the bill of attainder found the easier passage in the house of commons.

Having gotten this much ground; and the bill then depending (and like long to depend) with the lords; Mr. Pym told them in the house of commons, " that it appeared by the flight of such

"considerable persons, that what he had be-
"fore imparted to them was of moment, and
"that his fears were not groundless; that it
"concerned their service, that he should not yet
"impart the whole matter to them, since the
"danger was prevented, which they should shortly
"understand at large: in the mean time, he did
"assure them, that God had miraculously pre-
"served them from a most prodigious conspiracy,
"in which all their privileges and liberties should
"have been swallowed up: that though this
"attempt was disappointed, yet he feared there
"might be some new device; and therefore he
"proposed, for the better evidence of their union
"and unanimity, (which would be the greatest
"discouragement to all who wished ill to them,) that
"some protestation might be entered into by the
"members of both houses, for the defence of their
"privileges, and the performance of those duties
"to God and the king, which they were obliged
"to, as good Christians and good subjects; and
"that a committee might be appointed speedily to
"withdraw, and prepare such a protestation."

The motion was entertained with a general approbation; insomuch as they who were apprehensive enough of the ill designs of those who advanced this, and of the ill consequence of such voluntary protestations, thought fit rather to watch the matter and words, than to oppose the thing itself; which, it was evident, it was to no purpose to do: and therefore they were well contented with the naming such persons for the committee, as were not like to submit to any unlawful or inconvenient obligation. This

was urged as of such consequence, that the doors were locked, and no persons suffered to go out of the house, till this should be concluded. After a long debate, these words were agreed upon, and offered to the house for the protestation.

"I A. B. do, in the presence of Almighty God, "promise, vow, and protest, to maintain and "defend, as far as lawfully I may, with my "life, power, and estate, the true reformed "protestant religion, expressed in the doctrine "of the church of England, against all popery "and popish innovations within this realm, con-"trary to the same doctrine; and, according to "the duty of my allegiance, his majesty's royal "person, honour, and estate; as also, the "power and privileges of parliament; the lawful "rights and liberties of the subject; and every "person that maketh this protestation, in what-"soever he shall do in the lawful pursuance of "the same: and to my power, and as far as "lawfully I may, I will oppose, and, by all "good ways and means, endeavour to bring to "condign punishment, all such, as shall, either "by force, practice, counsels, plots, conspiracies, "or otherwise, do any thing to the contrary of "any thing in this present protestation con-"tained: and further, that I shall, in all just "and honourable ways, endeavour to preserve "the union and peace between the three king-"doms of England, Scotland, and Ireland; and "neither for hope, fear, nor other respect, shall "relinquish this promise, vow, and protesta-"tion."

This was immediately taken by the speaker of the house of commons, and by all the members then present; and sent up to the lords, who all likewise took the same, except the earl of Southampton, and the lord Roberts, who positively refused it, alleging, "There was no law that enjoined "it, and the consequence of such voluntary en- "gagements might produce effects that were not "then intended:" which without doubt was very wisely considered; and had not been pressed in the house of commons, for two reasons: it being visibly impossible to dissuade the thing, the house being awakened by the discourse, mentioned before, of a plot against the parliament, the poison of which, this sovereign antidote would expel and discover; but especially for that well-affected persons, who were jealous of no other design than the alteration of the government of the church, thought they had obliged those rigid reformers from any such attempt, when they had once bound themselves "to maintain and defend the protestant religion "expressed in the doctrine of the church of Eng- "land;" there being no other scheme of the doctrine of the church of England, than the thirty-nine Articles, of which one is, "to preserve the "government of the church by bishops."

Whereas the other party was abundantly gratified with having an oath of their own making, to entangle the people, (so like a covenant, by which such admirable things had been compassed by their neighbours,) and upon which they could make what gloss they pleased, when they had occasion; as they did within two days after: for the protestation being taken on Monday the third of May, the Wednesday

following some of their own party took occasion to inform the house, "that it was apprehended by "many well-affected persons abroad, who were of "notable and exemplary devotion to the parliament, "that if they should take that protestation, they "should thereby engage themselves for the defence "of bishops, which in their conscience they could "not do: and which they hoped the house did not "intend to oblige them to:" whereupon, without any great opposition, (the house being thin; and they who were of another opinion, believing this artifice would, to all sober men, appear very ridiculous,) this ensuing order was made:

"Whereas some doubts have been raised, by "several persons out of this house, concerning the "meaning of these words contained in the protest-"ation lately made by the members of this house, "[viz. the true reformed protestant religion, ex-"pressed in the doctrine of the church of England, "against all popery and popish innovations within "this realm, contrary to the same doctrine,] this "house doth declare, that by those words was and "is meant, only the public doctrine professed in "the said church, so far as it is opposite to popery "and popish innovations; and that the said words "are not to be extended to the maintaining of any "form of worship, discipline, or government, nor "of any rites, or ceremonies, of the said church of "England."

This explanation being thus procured in the house of commons, without ever advising with the house of peers, (who had likewise taken the same protestation,) and, in truth, so contrary to the intentions of most that took it; they ordered, "that the pro-

" testation, together with this explanation, should " be printed and published; and that the knights " and burgesses should send copies thereof to the " counties and boroughs for which they served; and " that they should intimate unto the people, with " what willingness all the members of that house " made that protestation; and that they should " further signify, that as they did justify the taking " it themselves, so they could not but approve it in " all such as should take it." Upon which declaration, the emissaries of the clergy caused the same to be taken in London, and the parts adjacent, within very few days after the publishing thereof. And for their better encouragement (though their zeal would not attend such formalities) a bill was prepared, passed the house of commons, and was sent up to the lords, " to compel all the subjects to " take that protestation." What the success of that bill was, and what use was afterwards made of this protestation, (which was then thought so harmless a thing,) and particularly, what influence it had upon the business of the earl of Strafford, shall be remembered in its proper place.

The other accident that fell out during the time that the business of the earl of Strafford was agitated, and by which he received much prejudice, was the death of the earl of Bedford. This lord was the greatest person of interest in all the popular party, being of the best estate, and best understanding, of the whole party; and therefore most like to govern the rest. He was besides of great civility, and of much more good-nature than any of the other. And therefore the king, resolving to do his business with that party by him, resolved to make

him lord high treasurer of England, in the place of the bishop of London; who was as willing to lay down the office, as any body was to take it up. And to gratify him the more, at his desire, intended to make Mr. Pym chancellor of the exchequer, as he had done Mr. Saint-John his solicitor general; Mr. Hollis was to be secretary of state, the lord Say master of the wards, and the lord Kimbolton to be lord privy-seal after the death of his father, who then held that place. Others were to be placed about the prince, and to have offices when they fell.

The earl of Bedford secretly undertook to his majesty, that the earl of Strafford's life should be preserved; and to procure his revenue to be settled, as amply as any of his progenitors; the which he intended so really, that, to my knowledge, he had it in design to endeavour the setting up the excise in England, as the only natural means to advance the king's profit. He fell sick within a week after the bill of attainder was sent up to the lords' house; and died shortly after, much afflicted with the passion and fury which he perceived his party inclined to: insomuch as he declared, to some of near trust with him, "that he feared the rage and madness "of this parliament would bring more prejudice and "mischief to the kingdom, than it had ever sus-"tained by the long intermission of parliaments." He was a wise man, and would have proposed and advised moderate courses; but was not incapable, for want of resolution, of being carried into violent ones, if his advice would not have been submitted to: and therefore many, who knew him well, thought his death not unseasonable, as well to his fame, as

his fortune; and that it rescued him as well from some possible guilt, as from those visible misfortunes, which men of all conditions have since undergone.

As soon as the earl of Bedford was dead, the lord Say (hoping to receive the reward of the treasurership) succeeded him in his undertaking, and faithfully promised the king, "that he should not be "pressed in the matter of the earl of Strafford's "life:" and under that promise got credit enough to persuade his majesty to whatsoever he told was necessary to that business. And thereupon, when the bill was depending with the lords, and when there was little suspicion that it would pass, though the house of commons every day by messages endeavoured to quicken them, he persuaded the king "to go to the house of peers, and, according to "custom, to send for the house of commons, and "then to declare himself, that he could not, with "the safety of a good conscience, ever give his "consent to the bill that was there depending before "them concerning the earl of Strafford, if it should "be brought to him, because he was not satis-"fied in the point of treason: but he was so fully "satisfied that the earl was unfit ever to serve him "more, in any condition of employment, that he "would join with them in any act, to make him "utterly incapable of ever bearing office, or having "any other employment in any of his majesty's "dominions; which he hoped would satisfy them."

This advice, upon the confidence of the giver, the king resolved to follow: but when his resolution was imparted to the earl, he immediately sent his brother to him, beseeching his majesty "by no

" means to take that way, for that he was most " assured it would prove very pernicious to him; " and therefore desired, he might depend upon the " honour and conscience of the peers, without his " majesty's interposition." The king told his brother, " that he had taken that resolution by the " advice of his best friends; but since he liked [it] " not, he would decline it." The next morning the lord Say came again to him, and finding his majesty altered in his intention, told him, " if he took that " course he had advised him, he was sure it would " prevail; but if he declined it, he could not pro- " mise his majesty what would be the issue, and " should hold himself absolutely disengaged from " any undertaking." The king observing his positiveness, and conceiving his intentions to be very sincere, suffered himself to be guided by him; and immediately went to the house, and said as the other had advised. Whether that lord did in truth believe the discovery of his majesty's conscience in that manner would produce the effect he foretold; or whether he advised it treacherously, to bring on those inconveniences which afterwards happened; I know not: but many, who believed his will to be much worse than his understanding, had the uncharitableness to believe, that he intended to betray his master, and to put the ruin of the earl out of question.

The event proved very fatal; for the king no sooner returned from the house, than the house of commons, in great passion and fury, declared this last act of his majesty's to be " the most unparal- " leled breach of privilege, that had ever happened; " that if his majesty might take notice what bills

" were passing in either house, and declare his own " opinion, it was to forejudge their counsels, and " they should not be able to supply the common- " wealth with wholesome laws, suitable to the dis- " eases it laboured under; that this was the great- " est obstruction of justice, that could be imagined; " that they, and whosoever had taken the late pro- " testation, were bound to maintain the privileges " of parliament, which were now so grossly invaded " and violated:" with many other sharp discourses to that purpose.

The next day great multitudes of people came down to Westminster, and crowded about the house of peers, exclaiming with great outcries, " that " they would have justice;" and publicly reading the names of those who had dissented from that bill in the house of commons, as enemies to their country; and as any lord passed by, called, *Justice, justice!* and with great rudeness and insolence, pressing upon, and thrusting, those lords whom they suspected not to favour that bill; professing aloud, " that they would be governed and disposed " by the honourable house of commons, and would " defend their privileges according to their late " protestation." This unheard of act of insolence and sedition continued so many days, till many lords grew so really apprehensive of having their brains beaten out, that they absented themselves from the house; and others, finding what seconds the house of commons was like to have to compass whatever they desired, changed their minds; and so in an afternoon, when of the fourscore who had been present at the trial, there were only six and forty lords in the house, (the good people still cry-

ing at the doors for justice,) they put the bill to the question, and eleven lords only dissenting, it passed that house, and was ready for the king's assent.

The king continued as resolved never to give his consent. The same oratory then attended him at Whitehall, which had prevailed at Westminster; and a rabble of many thousand people besieged that place, crying out, *Justice, justice; that they would have justice;* not without great and insolent threats and expressions, what they would do, if it were not speedily granted. The privy-council was called together, to advise what course was to be taken to suppress these traitorous riots. Instead of considering how to rescue their master's honour and his conscience from this infamous violence and constraint, they press the king to pass the bill of attainder, saying, "there was no other way to pre-"serve himself and his posterity, than by so doing; "and therefore that he ought to be more tender "of the safety of the kingdom, than of any one "person how innocent soever;" not one counsellor interposing his opinion, to support his master's magnanimity and innocence: they who were of that mind, either suppressing their thoughts through fear, upon the new doctrine established then by the new counsellors, "that no man ought "to presume to advise any thing in that place "contrary to the sense of both houses;" others sadly believing, the force and violence offered to the king would be, before God and man, a just excuse for whatsoever he should do.

His majesty told them, "that what was pro-"posed to him to do, was in a diameter contrary

" to his conscience, and that being so, he was sure " they would not persuade him to it, though them- " selves were never so well satisfied." To that point, they desired him " to confer with his " bishops, who, they made no question, would " better inform his conscience." The archbishop of York was at hand; who, to his argument of conscience, told him, " that there was a private " and a public conscience; that his public con- " science as a king might not only dispense with, " but oblige him to do that which was against his " private conscience as a man: and that the ques- " tion was not, whether he should save the earl of " Strafford, but, whether he should perish with " him: that the conscience of a king to preserve his " kingdom, the conscience of a husband to preserve " his wife, the conscience of a father to preserve " his children, (all which were now in danger,) " weighed down abundantly all the considerations " the conscience of a master or a friend could " suggest to him, for the preservation of a friend, " or servant." And by such unprelatical, igno- minious arguments, in plain terms advised him, " even for conscience sake, to pass that act."

Though this bishop acted his part with more prodigious boldness and impiety, the other of the same function (of whose learning and sincerity the king and the world had greater reverence) did not what might have been expected from their calling or their trust; but at least forbore to for- tify and confirm a conscience, upon the courage and piety of which, themselves and their order did absolutely depend.

During these perplexities, the earl of Strafford,

taking notice of the straits the king was in, the rage of the people still increasing, (from whence he might expect a certain outrage and ruin, how constant soever the king continued to him; and, it may be, knowing of an undertaking (for such an undertaking there was) by a great person, who had then a command in the Tower, "that if the king "refused to pass the bill, to free the kingdom "from the hazard it seemed to be in, he would "cause his head to be stricken off in the "Tower,") writ a most pathetical letter to the king, full of acknowledgment of his favours; but lively presenting "the dangers, which threatened "himself and his posterity, by his obstinacy in "those favours;" and therefore by many arguments conjuring him "no longer to defer his "assent to the bill, that so his death might free "the kingdom from the many troubles it appre-"hended."

The delivery of this letter being quickly known, new arguments were applied; "that this free con-"sent of his own clearly absolved the king from "any scruple that could remain with him;" and so in the end they extorted from him, to sign a commission to some lords to pass the bill: which was as valid as if he had signed it himself; though they comforted him even with that circumstance, "that his own hand was not in it.".

It may easily be said, that the freedom of the parliament, and his own negative voice, being thus barbarously invaded, if his majesty had, instead of passing that act, come to the house and dissolved the parliament; or if he had withdrawn himself from that seditious city, and put himself in the

head of his own army; much of the mischief, which hath since happened, would have been prevented. But whoever truly considers the state of affairs at that time; the prevalency of that faction in both houses; the rage and fury of the people; the use that was made by the schismatical preachers (by whom all the orthodox were silenced) of the late protestation in their pulpits; the fears and jealousies they had infused into the minds of many sober men, upon the discourse of the late plot; the constitution of the council-table, that there was not an honest man durst speak his conscience to the king, for fear of his ruin; and that those, whom he thought most true to him, betrayed him every hour, insomuch as his whispers in his bedchamber were instantly conveyed to those against whom those whispers were; so that he had very few men to whom he could breathe his conscience and complaint, that were not suborned against him, or averse to his opinions: that on the other side, if some expedient were not speedily found out, to allay that frantic rage and combination in the people, there was reason enough to believe, their impious hands would be lifted up against his own person, and (which he much more apprehended) against the person of his royal consort: and lastly, that (besides the difficulty of getting thither except he would have gone alone) he had no ground to be very confident of his own army: I say, whoever sadly contemplates this, will find cause to confess, the part which the king had to act was not only harder than any prince, but than any private gentleman, had been incumbent to; and that it is much easier, upon the accidents

and occurrences which have since happened, to determine what was not to have been done, than at that time to have foreseen, by what means to have freed himself from the labyrinth in which he was involved.

All things being thus transacted, to conclude the fate of this great person, he was on the twelfth day of May brought from the Tower of London (where he had been a prisoner near six months) to the scaffold on Tower-hill; where, with a composed, undaunted courage, he told the people, "he "was come thither to satisfy them with his head; "but that he much feared, the reformation which "was begun in blood would not prove so fortunate "to the kingdom, as they expected, and he wish-"ed;" and after great expressions "of his de-"votion to the church of England, and the pro-"testant religion established by law, and professed "in that church; of his loyalty to the king, and "affection to the peace and welfare of the king-"dom;" with marvellous tranquillity of mind, he delivered his head to the block, where it was severed from his body at a blow: many of the standers by, who had not been over charitable to him in his life, being much affected with the courage and Christianity of his death.

Thus fell the greatest subject in power, and little inferior to any in fortune, that was at that time in any of the three kingdoms; who could well remember the time, when he led those people, who then pursued him to his grave. He was a man of great parts, and extraordinary endowments of nature; not unadorned with some addition of art and learning, though that again was more improved and illustrated

by the other; for he had a readiness of conception, and sharpness of expression, which made his learning thought more than in truth it was. His first inclinations and addresses to the court were only to establish his greatness in the country; where he apprehended some acts of power from the old lord Savile, who had been his rival always there, and of late had strengthened himself by being made a privy-counsellor, and officer at court: but his first attempts were so prosperous, that he contented not himself with being secure from his power in the country, but rested not, till he had bereaved him of all power and place in court; and so sent him down, a most abject, disconsolate old man, to his country, where he was to have the superintendency over him too, by getting himself at that time made lord president of the north. These successes, applied to a nature too elate and arrogant of itself, and a quicker progress into the greatest employments and trust, made him more transported with disdain of other men, and more contemning the forms of business, than happily he would have been, if he had met with some interruptions in the beginning, and had passed in a more leisurely gradation to the office of a statesman.

He was, no doubt, of great observation, and a piercing judgment, both into things and persons; but his too good skill in persons made him judge the worse of things: for it was his misfortune to be of a time wherein very few wise men were equally employed with him; and scarce any (but the lord Coventry, whose trust was more confined) whose faculties and abilities were equal to his: so that upon the matter he wholly relied upon himself;

and discerning many defects in most men, he too much neglected what they said or did. Of all his passions, his pride was most predominant: which a moderate exercise of ill fortune might have corrected and reformed; and which was by the hand of Heaven strangely punished, by bringing his destruction upon him by two things that he most despised, the people and sir Harry Vane. In a word, the epitaph, which Plutarch records that Sylla wrote for himself, may not be unfitly applied to him; "that no man did ever pass him, either in "doing good to his friends, or in doing mischief "to his enemies;" for his acts of both kinds were most exemplary and notorious.

Together with that of attainder of the earl of Strafford, another bill was passed by the king, of almost as fatal a consequence to the king and kingdom, as that was to the earl, "the act for the "perpetual parliament;" as it is since called.

The vast burden of the two armies was no other way supplied, (for I have told you before the reason why they were so slow in granting of subsidies,) than by borrowing great sums of money from the city or citizens of London, upon the credit of particular persons. The emissaries in that negociation, about the time the act for attainder passed the commons, returned, "that there was no more hope of "borrowing in the city; that men had before "cheerfully lent their estates, upon their confidence "in the honour and justice of the two houses: but "they had now considered, how desperate that "security must prove, if the two houses should be "dissolved." Which consideration begun to have an universal influence upon all those who were per-

sonally bound for monies already borrowed; "for "that their persons and fortunes must answer those "sums which had been paid for the public benefit, "if the parliament should be dissolved before any "act passed for their indemnity. That their fears "and apprehensions that this might happen were "much advanced by the late discovery of the plot "against the parliament; for though the particu-"lars thereof were not yet published, they dis-"cerned there was not that good meaning to the "parliament, as it deserved." This was no sooner offered, than the reasonableness of the objection was enforced; and the necessity of finding some expedient "to satisfy the people of the gracious "intentions and resolutions of the king;" which were most unquestionable; (for in all those articles of time, when they were to demand some unreasonable thing from him, they spared no dutiful mention of the piety and goodness of his own princely nature; or large promises what demonstrations of duty they would shortly make to him.) No way could be thought of so undeniable, as an act of parliament, "that this parliament should not be "adjourned, prorogued, or dissolved, but by act of "parliament; which, upon this occasion, his majesty "would never deny to pass."

It is not credible, what an universal reception and concurrence this motion met with, (which was to remove the landmarks, and to destroy the foundation of the kingdom,) insomuch, as a committee was immediately appointed to withdraw, and to prepare a short bill to that purpose; which was within a short time (less than an hour) brought into

the house, and immediately twice read, and committed; an expedition never before heard of in parliament; and the next day, with as little agitation, and the contradiction of very few voices, engrossed, and carried up to the lords. With them it had some debate, and amendments, which were delivered at a conference, the principal whereof was, "that the time should be limited, and not left indefinite, and that it should not be dissolved within two years, except by consent of both houses;" that time being sufficient to provide against any accidents that were then apprehended.

These alterations were highly resented in the house of commons, as argument of jealousy between the king and the parliament, "that it should be "imaginable the members of both houses, who "resided from their houses and conveniences at "great charge for the service of the public, would "desire to continue longer together than the neces-"sity of that service should require;" without considering, that it was more unlikely that the king (who had condescended so far to them, and had yet in truth received no fruit from their meeting) would dissolve them, as long as they intended that for which they were summoned together, and contained themselves within the bounds of duty and moderation.

But the commons stoutly insisted on their own bill; and the lords, in that hurry of noise and confusion, when the people were abroad, kindly consented likewise to it: and so, by the importunity, and upon the undertaking of persons he then most trusted, in the agony of the other despatch, the

king was induced to include that bill in the commission with the act of attainder, and so they were both passed together.

After the passing these two bills, the temper and spirit of the people, both within and without the walls of the two houses, grew marvellous calm and composed; there being likewise about that time passed by the king, the two bills, for the taking away the star-chamber court, and the high commission: so that there was not a grievance or inconvenience, real or imaginary, to which there was not a through remedy applied; and therefore all men expected, that both armies would be speedily disbanded; and such returns of duty and acknowledgment be made to the king, as might be agreeable to their professions, and to the royal favours he had vouchsafed to his people.

But what provisions soever were made for the public, particular persons had received no satisfaction. The death of the earl of Bedford, and the high proceedings in all those cases in which the king was most concerned, left all those who expected offices and preferments, desperate in their hopes: and yet an accident happened, that might have been looked upon as an earnest or instance of some encouragement that way.

Besides the lord Say's being invested in the mastership of the wards, in the place of the lord Cottington, (who was every day threatened, upon the secretary's paper of results, to be accused of high treason, till, like a wise man, he retired from the offices which begat his trouble; and for a long time after, till he again embarked himself in public employments, enjoyed himself without the least

disturbance,) at a committee in the lords' house, in the afternoon, in some debate, passion arose between the earl of Pembroke, who was then lord chamberlain of the household, and the lord Mowbray, eldest son to the earl of Arundel; and from angry and disdainful words, an offer or attempt of blows was made; for which misdemeanour, they were the next day both sent to the Tower by the house of lords. The king, taking advantage of this miscarriage; and having been long incensed by the passionate, indiscreet, and insolent carriage of the earl, sent to him, by a gentleman usher, for his staff; and within two or three days after bestowed it upon the earl of Essex; who, without any hesitation, took it.

It was thought this extraordinary grace to the most popular person of the kingdom would have had a notable influence upon the whole party, which made him believe it depended very much on him: but it was so far from having that effect, as they looked upon that favour, rather as a mark of punishment and revenge upon the earl of Pembroke, for his affection to them, and for giving his suffrage against the earl of Strafford, (which he had often professed to the king he could never in conscience do,) than of estimation and kindness to the earl of Essex; and so were in truth more offended and incensed with the disgrace and disobligation to the one, than they were pleased with the preferment of the other: therefore whatever concerned the king in right; or what he might naturally expect from the compliance and affection of the house; or what was any way recommended by his majesty to them, found little or no respect.

His revenue was so far from being advanced, (as had been gloriously promised,) that it was, both in dignity and value, much lessened from what it was: for shortly after the beginning of the parliament, great complaint had been made, "that tonnage and "poundage" (which is the duty and subsidy paid by the merchant upon trade) "had been taken by "the king without consent of parliament;" the case whereof in truth is this: this duty had been constantly given to the succeeding king, ever since the reign of king Edward the Fourth, for his life, in the first parliament they held after their coming to the crown: before that time, it had been granted for years; and was originally intended for the support of the navy, whereby the merchant might be freed from danger of pirates; and upon the death of every king since that time, his successor always received it, without the least interruption, till the next parliament; in the beginning whereof it was always without scruple granted: so that, though it was, and must always be acknowledged as the free gift of the people, (as all other subsidies are,) yet it was looked upon as so essential a part of the revenue of the crown, that it could not be without it: and as the king is not less king before his coronation than he is after, so this duty had been still enjoyed as freely before, as it was after an act of parliament to that purpose; neither had there been ever any exception taken in parliament, (which sometimes was not in a year after the death of the former king,) that the crown had continued the receipt of it; which it always did, till the time of a new grant.

Thus, after the death of king James, his majesty received it, till the first parliament was summoned;

and, that and two more being unfortunately dissolved, (as was said before,) in which his ministers were not solicitous enough for the passing that act for tonnage and poundage, continued the receipt of it till this present parliament: then (that is, many weeks after the beginning of it) it was directed, "that a bill should be speedily prepared for the "granting it, as had been usual, lest the crown "might, by so long enjoying, in a manner prescribe "to it of right, without the donation of the people;" which the king always disclaimed to do. Shortly after (no man presuming to intimate, that it should be granted in any other manner than of course it had been) it was alleged, "that the bill could not "be so speedily prepared as were to be wished, by "reason that there were many just exceptions made "by the merchants to the book of rates, which had "been lately made by the farmers of the customs, "in the time and by the direction of the earl of "Portland;" (circumstances that carried prejudice enough to whatsoever they were applied;) and therefore it was proposed, for the present, as the best expedient to continue his majesty's supply, and to preserve the right of giving in the people, "that "a temporary bill should pass, for the granting the "same to his majesty for two months only, in which "time a new book of rates should be made, more "advantageous to his majesty in point of profit," (which was always solemnly professed,) "and then "a complete act might pass."

To this purpose a bill was accordingly brought in, the preamble whereof "renounced and declared "against not only any power in the crown of levying the duty of tonnage and poundage, without

" the express consent of parliament, but also any " power of imposition upon any merchandises what- " soever, and in any case whatsoever;" which had been constantly practised in the best times by the crown; had the countenance of a solemn judgment in the exchequer chamber; and, though often agitated in parliament, had never been yet declared against: yet this quietly passed both houses, as a thing not worth considering; those who in duty ought to have opposed it in both houses, in relation to their service and trust, persuading his majesty, since he was sure to have whatsoever he or his progenitors had enjoyed, fully and frankly given and granted to him within two months, not to enter into disputes, (upon how just claims soever,) which would only delay what he so much desired. And so, in expectation and confidence, that they would make glorious additions to his state and revenue of the crown, his majesty suffered himself to be stripped of all that he had left; and of the sole stock of credit he had to borrow monies upon: for though, in truth, men knew that revenue was not legally vested in the king till an act of parliament, yet all men looked upon it as unquestionably to pass; and so it was not only a competent proportion for the present support of his house, but was understood a good security for any ordinary sum of money upon advance, as forty or fifty thousand pound, upon any emergent occasion.

All men discerned this gross usage, and the disadvantage imposed upon his majesty by this mutation; and therefore expected a full reparation, by such an act for life as had been usual; and such an improvement of the book of rates as had been

promised, as soon as the business of the earl of Strafford was over: which had been always objected, as necessary to precede all other consultations. But this was no sooner moved, "as seasonable in "order to their own professions, and in a degree "due to the king, after so many reiterated expres- "sions of favour and affection to his people, by so "many excellent laws, and other condescensions," than they objected, "the odiousness of the late "plot against the parliament, which was not yet "fully discovered: that notwithstanding those "gracious demonstrations of favour from the king, "in the laws and other acts mentioned, they had "great cause to apprehend, some ill affected per- "sons had still an influence upon his majesty, to "the disservice of the parliament, and to beget "jealousies in him towards them; for that they "had plainly discovered (which they should in a "short time be able to present fully to the house) "that there had been a design, not only to poison "the affections of the army towards the parlia- "ment, by making them believe that they were "neglected, and the Scots preferred much before "them; but to bring up that army to London, "with a purpose to awe the parliament: that there "was a resolution to seize the Tower, and to make "it a curb upon the city: that there had been an "attempt to prevail with the officers of the Scot- "tish army, at least to sit still as neuters, whilst "the other acted this tragedy: that the confede- "rates, in this design had taken an oath, to oppose "any course that should be advised for the remov- "ing the bishops out of the house of peers; to "preserve and defend the king's prerogative, to

"the utmost extent that any of his progenitors "had enjoyed; and to settle his majesty's revenue: "that they had reason to fear his majesty's own "concurrence, at least his approbation, in this "design, (which, if not prevented, must have "proved so pernicious and fatal to the kingdom,) "for that, besides that the persons principally "engaged in it were of the nearest trust about the "king and queen, they had clear proof, that a "paper had passed his majesty's perusal, in which "were contained many sharp invectives against "the parliament; a desire that they might have "the exercise of martial law, (the mention where-"of was the most unpopular and odious thing that "could be imagined,) and an offer of service to "defend his majesty's person, which was an im-"plication as if it had been in danger: and that "this paper should have been signed by all "the officers of the army; for their better encou-"ragement wherein, the king himself had written "a C. and an R. as a testimony that he approved "of it."

This discourse, so methodically and confidently averred, made a strange impression (without reserving themselves till the evidence should be produced) in the minds of most men; who believed, that such particulars could never have been with that solemnity informed, if the proofs were not very clear; and served, not only to blast whatsoever was moved on his majesty's behalf, but to discountenance what, till then, had been the most popular motion that could be made, which was, the disbanding both armies, and the Scots' return into their own country. For the better accomplishment

whereof, and as a testimony of their brotherly affection, the two houses had frankly and bountifully undertaken " to give them a gratuity of three " hundred thousand pounds, over and above the " twenty-five thousand pounds the month, during " the time that their stay here should be neces- " sary."

After that act, the king might have been reasonably awaked from any extraordinary confidence in the loyalty, honour, or justice, of both houses. And without doubt, when posterity shall recover the courage, and conscience, and the old honour of the English nation, it will not with more indignation and blushes contemplate any action of this seditious and rebellious age, than that the nobility and gentry of England, who were not guilty of the treason, should recompense an invasion from a foreign contemned nation, with whatever establishments they proposed in their own kingdom, and with a donative of three hundred thousand pounds, over and above all charges, out of the bowels of England; which will yet appear the more prodigious, when it shall be considered, that a fifth part of those who were accessaries to that infamous prodigality were neither favourers of their ends, or well-wishers of their nation.

Very many giving themselves leave, unfaithfully, to be absent from those debates, when the wealth and honour of their country was to be transplanted into a strange land; others looked upon it as a good purchase, to be freed of the payment of fourscore thousand pounds the month, (which was the charge of both armies,) by an entire sum of three hundred thousand pounds; and

some pleased themselves with an assurance, that the scandal and unreasonableness of the sum would provoke the people to a hatred and revenge, and so that the brotherhood would not be supported, but destroyed, by that extravagant bounty: but these were only short ejaculations to please themselves for the time; for many of those, who had no other reason to consent to that vast sum, but that they might be rid of them, were so inflamed and transported with the tale of the plot, that they had then no mind to let them go; and had so far swallowed and digested an assurance that it was true, that they reserved no distinguishing or judging faculties, for the time when the evidence and proof should be presented to them.

After they had played with this plot, and given the house heats and colds, by applying parts of it to them upon emergent occasions, for the space of near three months; and finding, that though it did them many notable services, in advancing their own reputations, and calumniating the king's honour, yet, that it had not a through effect at court for their preferment; they resolved to shew all their ware, and to produce the whole evidence: for the perfecting whereof, they had "a late great "mark of God's great favour towards them, in his "furnishing them with evidence for the complete "discovery of all the mischief, from one that was "a principal contriver of it."

We said before, that upon the first motion in the house of commons, by Mr. Pym, "for a com-"mittee to examine, and for an address to the "king, that he would grant no passes to any of "his servants to go beyond seas," two persons, of

near relation to his trust, immediately absented themselves; which were Mr. Peircy, and Mr. Jermyn. The latter of these, without interruption, transported himself into France; but Mr. Peircy, delaying his journey upon some occasions of his own, and concealing himself in some obscure places in Sussex, near to his brother's house, was at last discovered; and when he endeavoured to have escaped, was set upon by the country people, and with great difficulty, and not without some hurt, got from them, and was not in some months again heard of.

It was generally believed afterwards, that finding the seaports shut, and watches set for his apprehension in all those places, whereby the transporting himself into foreign parts was very difficult, he found means to return to London, and to put himself into his brother's protection; where it is thought he was harboured, till his hurt was cured; the strictness of the inquiry over; and till he had prepared that letter to his brother, the earl of Northumberland, which served, as far as in him lay, to destroy all his companions, and furnished the committee with that which they called "a "double evidence:" for they had no sooner received that letter from the earl of Northumberland, than they told the house, "they were now ready "for a complete discovery;" and thereupon produced the evidence of colonel Goring, and the letter from Mr. Peircy; both which agreed upon the relation, "of a meeting at Mr. Peircy's "chamber; and of a discourse of the parliament's "neglect of the king's, and favouring the Scottish "army; the taking an oath of secrecy; and some

" other particulars?" all which had been positively denied, by those members of the house of commons, Mr. Wilmot, Mr. Ashburnham, and Mr. Pollard, upon their examinations upon oath.

It will hardly be believed hereafter, (but that the effects of such impostures have left such deep marks,) that the evidence then given could, in so grave and judging an assembly, as a high court of parliament, till then, had always been, have brought the least prejudice upon the king; or, indeed, damage to any person accused: there being, in all the testimonies produced, so far from any proof, of a real design, or plot, to bring up the army (which was the grand matter alleged) to awe the parliament, that in truth it was very evident, there was no plot at all; only a free communication between persons (the major part whereof were of the house) " of the ill arts that were generally used to corrupt " the affections of the people; and of some ex- " pedient, whereby, in that so public infection, the " army" (in which they had all considerable commands, two of them being general officers) " might " be preserved from being wrought upon and cor- " rupted:" in which discourse, colonel Goring himself, as appeared by his own examination, only proposed wild and extravagant overtures, " of " bringing up the army, and surprising the Tower; " which was, by all the rest, with manifest dislike, " rejected: that all this had passed at one meet- " ing, in which, they who met were so ill satisfied " in one another, that they never would come " together again: that, when the bringing up the " army to London was mentioned to the king, " his majesty would not hear of it, but only de-

" sired, that their affections might be kept entire " for his service, as far as was consistent with " the laws of the land, which were in danger to be " invaded."

Yet, notwithstanding that all this appeared; and that this was all which did appear, (besides a discourse of the petition; for the petition itself they would not produce, signed with C. R. which is before set down in terms,) the specious, positive narration of the whole by Mr. Pym, before the evidence was read; the denying of what was now proved, and confessed by themselves, by Mr. Wilmot, Ashburnham, and Pollard, upon the former examination; the flight of Mr. Jermyn, and Mr. Peircy, and some others; the mention of some clauses in the petition signed with C. R.; and some envious, dark glances, both in Mr. Goring's examination, and Mr. Peircy's letter, at the king and queen, as if they knew more than was expressed, so transported the hearers (who made themselves judges too,) that, taking all that was said, to be proved, they quickly voted, " that there " was a design to bring up the army to force the " parliament;" resolved to accuse Mr. Jermyn and Mr. Peircy of high treason; committed the three members of the house of commons to several prisons, and put them from being members of parliament, that in their rooms they might bring in three more fit for their service, as they shortly did; gave colonel Goring public thanks, " for preserving the " kingdom, and the liberties of parliament;" and filled the people with jealousy for their security, and with universal acclamations of their great wisdom and vigilancy. So that this plot

served to produce their first protestation; to inflame the people against the earl of Strafford, and in a degree to compass their ends upon that great person, as hath been before observed; to procure the bill for the continuance of this parliament, the foundation, or the fountain, of all the public calamities, to hinder and cross all overtures made for the revenue of the king, and to lessen the general reverence and duty to both their majesties; to continue the Scottish army within the kingdom, and consequently to hinder the king's from being disbanded; to incense both houses against the bishops, as if the design had been principally for their protection, (and there being one witness who said, "he had been told, that the clergy would "raise and pay one thousand horse, to be employed "against the parliament,") to blast the reputation of the earl of Newcastle, whose zeal to his majesty's service was most remarkable, as if he had been to have commanded the army; and lastly, to advance their own credit and estimation with the people, as if they were the only patriots, that intended the preservation of religion, law, and liberty.

And having made this use of it, (which is a sufficient argument what opinion they had of their own evidence,) they never proceeded against any of the persons who were in their power, though they patiently attended and importuned a trial above a year after their accusation: for they well knew, there must be then a more exact and strict weighing of the proofs; and that the persons accused could not only vindicate themselves from the aspersions which were laid upon them, but

could recriminate upon their grand prosecutors with such charges, as they would not so easily be freed from; and this was the reason, that, even during the heat and noise of the accusation, they received very civil offices, visits, and addresses, from the chief of those who were trusted with the prosecution.

The sending that letter of Mr. Peircy's to the house of commons; or rather, the procuring that letter to be writ, (in which such insinuations were made, to the prejudice of the king and queen,) was the first visible instance of the defection of the earl of Northumberland towards his majesty's service; which wrought several ill effects in the minds of many: for, as the earl then had the most esteemed and unblemished reputation, in court and country, of any person of his rank throughout the kingdom; so they who knew him well, discerned, that the greatness of that reputation was but an effect of the singular grace and favour shewed to him by his majesty; who, immediately upon the death of his father, had taken this earl (being then less than thirty years of age) into his immediate and eminent care; first made him a privy-counsellor; then knight of the order of the garter; then (that he might apt him by degrees for the greatest trust and employments) sent him admiral into the narrow seas, of a royal navy; and, after a summer spent in that exercise, made him lord high admiral of England; and, to the very minute of which we speak, prosecuted him with all manner and demonstration of respect and kindness; and (as I heard his majesty himself say) "courted him "as his mistress, and conversed with him as his

" friend, without the least interruption or inter-
" mission of all possible favour and kindness."
And therefore many, who observed this great earl purchase this opportunity of disserving the king, at the price of his brother's honour, and of his own gratitude, concluded, that he had some notable temptation in conscience, and that the court was much worse than it was believed to be.

The truth is, that after his brother's being accused of high treason; and then, upon his hurt in Sussex, coming directly to Northumberland-house to shelter himself; the earl being in great trouble how to send him away beyond the seas after his wound was recovered, advised with a confident friend then in power, whose affection to him he doubted not, and who, innocently enough, brought Mr. Pym into the council, who overwitted them both, by frankly consenting, " that Mr.
" Peircy should escape into France," which was all the care the earl had; but then obliged him,
" first to draw such a letter from him, as might
" be applied as an evidence of the reality of the
" plot, after he was escaped;" and in this manner the letter was procured: which made a lasting quarrel between the two brothers; and made the earl more at the disposal of those persons whom he had trusted so far, than he had been before.

After the act for the continuance of the parliament, the house of commons took much more upon them, in point of their privileges, than they had done; and more undervalued the concurrence of the peers; and though that act added nothing to, nor extended their jurisdiction: which jurisdiction the wisdom of former times kept from

being limited or defined, there being no danger of excess; and it being more agreeable to the nature of the supreme court to have an unlimited jurisdiction. But now that it could not be dissolved without their consent, (the apprehension and fear whereof had always before kept them within the bounds of modesty,) they called any power they pleased to assume to themselves, "a branch of "their privilege;" and any opposing or questioning that power, "a breach of their privileges: "which all men were bound to defend by their late "protestation; and they were the only proper "judges of their own privileges."

Hereupon, they called whom they pleased delinquents; received complaints of all kinds, and committed to prison whom they pleased: which had been never done, nor attempted, before this parliament; except in some such apparent breach, as the arresting a privileged person, or the like: and, as if theirs had swallowed up all other privileges, of peers, and [the] king himself, upon the lords rejecting a bill sent up to them, "to compel all "persons" (without distinction of quality, and without distinction of punishment or proceeding, upon their refusal) "to take the late protestation;" and two lords of great estimation (the earl of Southampton, and the lord Roberts) having refused to take the same; the house of commons, in great fury, and with many expressions of contempt, by a vote declared, "that the protestation "made by them was fit to be taken by every "person, that was well affected in religion, and to "the good of the commonwealth; and therefore, "that what person soever should not take the pro-

" testation, was unfit to bear office in the church " or commonwealth;" and directed farther, " that " that vote should be printed, and that the knights " and burgesses should send down copies of it to " the several places for which they served :" which was the most unparalleled breach of privilege, and the highest and most insolent affront to the lords, to the king, and to the justice of the kingdom, and the most destructive to parliaments, that any age had been guilty of. And yet, when some of the peers nobly resented it, on the behalf of the peerage, and the liberty of the subject, and pressed resolutely for reparation, means was found out to engage the king to interpose his royal mediation with those lords, to the end they might quietly pass by that public violation and indignity, without further insisting on it.

All this time the two armies were continued at that vast charge, many men whispering (but so that it might be spoken of) " that the Scots would " not retire till the bill against episcopacy were " passed :" whereupon the king sent them word, about the beginning of July, " that he desired " all speed might be used for the disbanding " both armies; for the better and more orderly " doing whereof, he had constituted the earl of " Holland general of his army," (the earl of Northumberland, by reason of his indisposition in health, or some other reason, having laid down his commission,) " and intended forthwith to send " him down thither: that his majesty himself, " according to [a] former resolution, and promise " made to his subjects of Scotland, meant to visit " that his native kingdom, for the better perfecting

" the peace there; and appointed the day (about " fourteen days after) he resolved to begin his " progress; and therefore wished them, against " that time, to prepare and finish any such acts, as " they desired might receive his majesty's appro- " bation, for the good of the kingdom, if there yet " remained any thing to be asked of him." Notwithstanding which message, they spent most of their time upon the bill for extirpation of bishops, deans, and chapters; without finishing either the act of pacification between the two nations, or giving order for the disbanding the army.

It was wondered at by many, and sure was a great misfortune to the king, that he chose not rather at that time (though the business was only to disband) to constitute the earl of Essex general of his army, than the earl of Holland; for (besides that it would have been an act of much more grace and satisfaction to the people, and to the soldier) his majesty having lately given him so great an earnest of his trust, as the making him chamberlain of his house, ought in policy to have pursued that work, by any seasonable accumulation of favour, till he had made him his perfect creature; which had been very easy, if skilfully attempted: for his pride and ambition, which were not accompanied with any habit of ill nature, were very capable of obligations; and he had a faithfulness and constancy in his nature, which had kept him always religious in matter of trust: then, he was almost a declared enemy to the Scottish nation, and would have been very punctual in all formalities and decencies, which had any relation to his master's honour, or the honour of the nation. In a word,

he might have been imposed upon in his understanding, but could not have been corrupted by hopes or fears what the two houses could have done to him: and was then more the idol of the people, than in truth the idolater of them.

Whereas, by making the earl of Holland general, he much disobliged the other, who expected it, and to whom it had been in a manner offered; and made him apprehend some distrust in the king towards him; and that his former favour in his office had been conferred on him, rather because no man else had been able to bear the envy of displacing the earl of Pembroke, than that his own merit and service was valued. Then the person, upon whom he conferred that honour, had formerly disappointed him, and often incurred his displeasure, and wore some marks of it; and was of no other interest or reputation with the party which could do mischief, than as a person so obnoxious to them, in the misexecuting his great and terrible office of chief justice in eyre, by which he had vexed and oppressed most counties in England, and the most considerable persons in those counties; and in other particulars; that they knew he durst not offend them, and would purchase their protection and good opinion at any price: as it fell out; for within few days after the king was gone through that army, in his way to Scotland, he wrote a letter, which was communicated to both houses, in which he mystically expressed "some "new design to have been set on foot for corrupt-"ing the army;" for which there was never after the least colour given; but served then to heighten the old jealousies, and to bespeak a misunderstand-

ing for whatsoever should be proposed on his majesty's behalf during his absence.

After their great end was obtained in the execution and death of the earl of Strafford, all men believed, that they would be very forward in dismissing the Scottish army, and disbanding the other, which cost the kingdom so vast a sum of money every month; and they had already voted a brotherly assistance to the Scots of three hundred thousand pounds, for the service they had performed; and an act was already prepared for the raising the sum: but they had yet no mind to part with their beloved brethren.

The commissioners who treated with the Scots had agreed, "that the king should be present in his "parliament at Edinburgh, by such a day in July, "to pass the act for pacification between the two "kingdoms, and such other acts as his parliament "there should propose to him;" and his majesty prepared to begin his progress, soon enough to be in Scotland by the time; and they resolved on all sides, "that the one army should be drawn out of the "kingdom, and the other totally disbanded, before "the king should arrive in the northern parts, for "many reasons." As they had lost all confidence in the affections of the English army, so there were many jealousies arisen among the Scots, both in their army, and amongst their greatest counsellors: notwithstanding all which, instead of making haste to the disbanding, they published much jealousy and dissatisfaction to remain with them of the court; "there were some evil counsellors still "about the king, who obstructed many gracious "acts, which would otherwise flow from his good-

" ness and bounty towards his people; and made " ill impressions in him of the parliament itself, and " its proceedings."

Their design was to remove the duke of Richmond from the king, both because they had a mind to have his office of warden of the cinque-ports from him, that it might be conferred on the earl of Warwick; and as he was almost the only man of great quality and consideration about the king, who did not in the least degree stoop, or make love to them, but crossed them boldly in the house; and all other ways pursued his master's service with his utmost vigour and intentness of mind: they could not charge him with any thing like a crime, and therefore only intended by some vote to brand him, and make him odious; by which they presumed, they should at last make him willing to ransom himself by quitting that office: for which there was some underhand treaty, by persons who were solicitous to prevent farther inconveniences; and, as they found any thing like to succeed in that, they slackened or advanced that discourse of evil counsellors.

One day they were very warm upon the argument, and had a purpose to have named him directly, which they had hitherto forborne to do, when Mr. Hyde stood up, and said, " He did really believe " that there yet remained some evil counsellors, " who did much harm, about the king; and that it " would be much better to name them, than to " amuse the house so often with the general men-" tion of them, as if we were afraid to name them:" he proposed, " that there might be a day appointed, " on which, upon due reflections upon those who

" had been most notorious in doing mischief to the " public, we might most probably find, who they " were who trod still in the same paths, and might " name them accordingly; and that for his part, if " a day were appointed for that discovery, he would " be ready to name one, who, by all the marks we " could judge by, and by his former course of life, " might very reasonably be believed to be an evil " counsellor."

They were exceedingly apprehensive (as they had cause) that he meant the marquis of Hamilton, (who, for the reasons aforesaid, was very dear to them,) and thenceforward, though they desisted not from prosecuting the duke, till at last they had compelled him to quit the cinque-ports to the earl of Warwick, they no more urged the discovery of evil counsellors. And all the familiar friends of Mr. Hyde were importuned to move him, " not to " endeavour to do any prejudice to the marquis of " Hamilton;" and even the king himself was prevailed with to send to him to that purpose: so industrious was that people to preserve those whom for private ends they desired to preserve, as well as to destroy those who they desired should be destroyed.

When every body expected that nothing should be mentioned in the house but the despatch of the treaty of the pacification, by the commissioners on both sides; which was the only obstruction to the discharge of the armies, and which could be done in two days, if they pursued it; they called in a morning " for the bill" (that had so long before been brought in by sir Edward Deering) " for the " extirpation of episcopacy," and gave it a second

reading; and resolved, "that it should be committed "to a committee of the [whole] house, and that it "should be proceeded upon the next morning." It was a very long debate the next morning, after the speaker had left the chair, who should be in the chair for the committee; they who wished well to the bill having resolved "to put Mr. Hyde into the "chair, that he might not give them trouble by "frequent speaking, and so too much obstruct the "expediting the bill;" they who were against the bill pressed and called loud for Mr. Crew to be in the chair: but in conclusion, Mr. Hyde was commanded to the chair; they who were enemies to the bill being divided in opinion, many believing, that he would obstruct the bill more in that place, than if he remained at liberty; and they found it to be true.

The first day the committee sat full seven hours, and determined, "that every day, as soon as the "house was resumed, the chairman should report "the several votes of that day to the house, which "should determine them before it rose;" which was without any precedent, and very prejudicial to the grave transaction of the business: for, besides that it was a preengaging the house in its judgment, when the bill engrossed should be put to the question; it was so late every day before the house was resumed, (the speaker commonly leaving the chair about nine of the clock, and never resuming it till four in the afternoon,) that it was very thin; they only, who prosecuted the bill with impatience, remaining in the house, and the others, who abhorred it, growing weary of so tiresome an attendance, left the house at dinner-time, and afterwards followed

their pleasures: so that the lord Falkland was wont to say, "that they who hated bishops, hated them "worse than the devil; and that they who loved "them, did not love them so well as their dinner."

However, the chairman perplexed them very much; for, besides that at the end of his report every day to the house, before the house put the question for the concurrence in the votes, he always enlarged himself against every one of them, and so spent them much time; when they were in the heat and passion of the debate, he often ensnared them in a question: so that when he reported to the house the work of the day, he did frequently report two or three votes directly contrary to each other, which, in the heat of their debate, they had unawares run into. And after near twenty days spent in that manner, they found themselves very little advanced towards a conclusion, and that they must review all that they had done; and the king being resolved to begin his journey for Scotland, they were forced to discontinue their beloved bill, and let it rest; sir Arthur Haslerig declaring in the house, "that he "would never hereafter put an enemy into the "chair:" nor had they ever after the courage to resume the consideration of the bill, till after the war was entered into.

The time being come, within two or three days, (according to his former declaration,) for the king's journey into Scotland, the house of commons thought it time to lay aside their disputes upon the church, which every day grew more involved, and to intend the perfecting the act of pacification, and the order for disbanding; both which were thought necessary to be despatched, before his majesty

should begin his progress; and might have been long since done. On a sudden, the house of commons grew into a perplexed debate, concerning the king's journey into Scotland (which had been long before known, and solemnly promised by his majesty to the commissioners of Scotland; where preparation was made for his reception, and the parliament summoned there accordingly); expressed many dark and doubtful apprehensions of his safety, not without some glances, "that if his majesty were "once with his army, he might possibly enter upon "new counsels, before he consented to disband "[it];" and in the end concluded, "to desire the "lords to join with them in a request to the king, "to defer his journey into Scotland, till the act of "pacification was passed, the armies disbanded, "and till such other acts were prepared, as should "be thought necessary for the good of the king-"dom;" without mentioning any time, against which those things should be ready: which, though it was an unreasonable request, yet most men having no mind he should go into Scotland, it was consented to by both houses; and thereupon an address was made to his majesty to that purpose: who returned his answer, "that he was sorry, the houses, having "had so long notice of his intention for that jour-"ney, (which could not but appear very necessary "to them,) had neglected to prepare all such "things, as were necessary to be despatched by "him before he went; that, though his presence "in Scotland was depended upon by such a day, and "the disappointment might beget some prejudice "to him, yet, he was content to satisfy their desires "so far, as to defer his journey for fourteen days; "within which time they might make all things

" ready that were of importance, and beyond which " time it would not be possible for him to make " any stay."

This time being gotten, they proceeded but slowly in the direction for disbanding, (though the earl of Holland was gone down to the army,) or in the act of the pacification; but continued their mention " of fears and jealousies of the peace of " the kingdom; of an invasion from foreign parts; " and an insurrection of the papists in England: " for all which, they said, there was not yet suffi- " cient provision, by the laws and constitution of " the kingdom." And therefore one day, sir Arthur Haslerig (who, as was said before, was used by that party, like the dove out of the ark, to try what footing there was) preferred a bill " for the settling " the militia of the kingdom, both by sea and land " in such persons as they should nominate;" with all those powers and jurisdictions, which have been since granted to the earl of Essex, or sir Thomas Fairfax, by land, or to the earl of Warwick, by sea. There were in the bill no names, but blanks to receive them, when the matter should be passed; though men were assured, that the earl of Essex was their confident by land, and the earl of Northumberland by sea: and yet the inclination to the earl of Warwick would have begot some disturbance, if the matter had come then to be pressed.

When the title of this bill was read, it gave so general an offence to the house, that it seemed inclined to throw it out, without suffering it to be read; not without some reproach to the person that brought it in, " as a matter of sedition;" till Mr. Saint-John, the king's solicitor, rose up, and spake to it, and (having, in truth, himself drawn

the bill) said, "he thought that passion and dis-
"like very unseasonable, before the bill was read;
"that it was the highest privilege of every member,
"that he might propose any law, or make any
"motion, which, in his conscience, he thought
"advantageous for the kingdom, or the place for
"which he served. For the matter, which by the
"title that bill seemed to comprehend, he was of
"opinion, that something was necessary to be
"done in it; for he was sure, that such power,
"as might be necessary for the security of the
"kingdom, over the militia, was not yet by law
"vested in any person; or in the crown itself:
"that they had lately by their votes blasted and
"condemned the power of lords lieutenants, and
"their deputies, which had been long exercised,
"and submitted to by the people; that, since that
"was determined, it was necessary to substitute
"such in their room, as might be able to suppress
"any insurrection, or resist an invasion: and there-
"fore, that it was fit to hear the bill read; and if
"any fitting expedient were proposed in it to that
"purpose, to embrace it; otherwise, to think of a
"better. For the nomination of persons, it would
"not be seasonable to speak of it, till the power
"and jurisdiction were first settled and constituted:
"and then, if it seemed too great for any subject,
"it might be devolved upon the crown; which
"yet was not sufficiently possessed of a legal
"power to the purposes aforesaid."

Upon this discourse, by a person of the king's sworn council, the bill was read; but with so universal a dislike, that it was never called upon the second time, but slept, till long after the matter of it was digested in ordinances.

The peremptory day again drawing very near, for the king's journey into Scotland, and very little done towards the public, since the time they had prevailed with his majesty to suspend it, on a Saturday in the afternoon (the progress being to begin on Monday) they fell into unusual passion again against the king's going into Scotland: the which they thought of so great importance to be hindered, that they resolved (and prevailed with the lords to do the like) to sit the next day, being Sunday; which had never before been known, since the first institution of parliaments; and which they thought fit to excuse by a short declaration, that the people might not be thereby encouraged to profane the sabbath.

When they found the king constant to his former resolution, and that all they could allege could prevail no farther with him than, whereas, he intended to go Monday after dinner, to stay till Tuesday morning, they very earnestly proposed, "that he would leave a commission with some "persons, to pass such acts as should be prepared "and pass both houses in his absence; and to "make a *custos regni*, to supply the place of "government till his return:" with many other extravagancies, which themselves understood not. But when they found that no such commission could be legally granted, to consent to any acts that were not consented to by both houses at the date of the commission; and that both the person and the power of a *custos regni* would be duly weighed, and would take up much consideration, if the king were willing to satisfy them; they were contented with a commission to the earl of Essex, of lieutenant-general of that side Trent: which his

majesty having granted; and confirmed the act of pacification between the two kingdoms, (which in great haste was transacted in both houses, as if it had been only matter of form,) he took his journey from London towards Scotland toward the middle of August, leaving both houses sitting at Westminster.

The unexpected passion and importunity to hinder his majesty's journey into Scotland was not well understood; and the less, for that the governing party was divided upon it: some of them, with trouble equal to what they had at any time expressed, insisting upon his not going; others alleging, "that his majesty was so far engaged in it, "that he could not in honour recede from it:" whilst the Scottish commissioners, who were often appealed and referred to in the debate, answered so mysteriously, as argued rather a conveniency, and expectation of the journey itself, than any necessity in point of time. Neither was the ground of his majesty's so positive and unalterable resolution of going thither, sufficiently clear to standers by; who thought he might have transacted the business of that kingdom (where he could not reasonably expect any great reverence to his person) better at a distance; and that his presence might be more necessary in this.

But, as his majesty's impatiency to see both armies disbanded, and this kingdom freed from the invasion, (both which he heartily desired,) and his desire to refresh himself, from the vexation which the two houses, or one of them, or some in one of them, daily gave him; hurried him to that expedition, without well weighing and preparing how to comport himself through it: so no doubt, that

opposition, and instance against it (besides the natural desire they had to remove the king from any fixed resolution) proceeded partly, to procure an excuse for the hasty passing the bill of pacification; which they had purposely retarded (foreseeing there were many particulars in it, that, if weighed, would never have been consented to) till they might be so straitened in time, that whoever objected against what was offered, might seem to hinder the disbanding, and to necessitate the king's longer stay: but principally hoping, that his majesty, rather than defer his journey, on which he was resolved, would consent to any unreasonable qualifying such person whom they should name, with power in his absence; except there were some real jealousy of the Scots at that time, and between the Scottish commissioners themselves, (as was conceived by some,) by reason of great addresses made to the king by the earl of Rothes, the principal and governing person of that nation, and some insinuation of favour from his majesty to him; so that they did in earnest desire to put off that journey, for fear of disturbance there.

The truth is, the king was well satisfied with the promises made to him by that earl; who desired to live in this court, and should have been shortly made gentleman of the bedchamber, and had himself a hope to marry a great and wealthy lady: and it is certain, the king expected, by his help and interest, to have found such a party in Scotland, as would have been more tender of his honour than they after expressed themselves; and did always impute the failing thereof to the absence of that earl, who being sick at the king's going from London, within six weeks after died. But others

believed, he had been so far guilty of what had been done amiss, that he would neither have been able nor willing to preserve the foundation of that power, which could hardly have forgotten by what means it had been oppressed.

I must not omit here, the disbanding another army, about the same time; the circumstances whereof were very remarkable, and the cause of much trouble that ensued. The king perceiving that he was not now like to have any use of the new army in Ireland; at least not that use for which it was raised, (which was, to have visited Scotland,) and finding often mention, enviously and maliciously, made of that army in the house of commons; and having from thence (by the advice of the committee for Ireland) received some addresses for that purpose; resolved to disband them; and, to that end, signified his pleasure to the lords justices of Ireland, and to the earl of Ormond, his lieutenant-general of that army; directing withal (according to the last advice he had received from the earl of Strafford) "that any officers of the "army should have free leave to transport what "men he could get of that army, for the service of "any prince in amity with this crown:" and shortly after, upon the earnest desire of don Alonzo de Cardinas, ambassador from the king of Spain, his majesty consented, that four thousand soldiers of that army should be transported for the service of that king into Flanders; at the same time permitting as many as desired the same, to be transported for the service of the French king. This was no sooner known, but the house of commons interposed, with their accustomed confidence and distemper, "to

" beseech his majesty to revoke that license :" and, by impertinent and slight reasons, boldly urged and insisted on, as they did in every thing else, prevailed with the king " to inhibit the transporting any of " those soldiers out of that kingdom, for the ser- " vice of any prince whatsoever."

Many were of opinion that this activity in a business of which they had not the least connusance, proceeded from the instigation of the ambassador of the French king; who was very conversant with the principal persons of that faction, and no doubt fomented those humours out of which the public calamities were bred; and some said boldly, and an obscure person or two have since affirmed it, as upon their knowledge, " that Mr. Pym received " five thousand pound from that French minister, " to hinder that supply to Spain." Others believed, that it proceeded only from that proud and petulant spirit which possessed them, to lessen the reputation of the king; and to let the king of Spain and all other princes see the power they had, to oppose and cross his resolutions in the most pure acts of sovereignty. But I believe, though there might be a mixture of both the other reasons, the principal motive that induced them to that interposition, was the advice and desire of the committee from the parliament of Ireland, whose counsel was entirely followed in whatsoever concerned that kingdom; and who, no doubt, had then designed the rebellion that shortly after brake out, which could hardly have taken effect, if that body of men had been removed out of the kingdom, according to the king's direction. But of that more in its place.

As soon as the king began his journey for Scotland, all orders and what else was necessary, were

despatched for the disbanding; and a resolution taken, "to send a committee of lords and commons "to attend his majesty (that is, to be a spy upon "him) in Scotland, and to be present when the act "of pacification should be transacted in that par- "liament, and to preserve the good intercourse "and correspondence which was begun between "the two nations:" but in truth, to lay the scene how the next year should be spent; and to bespeak new laws for this kingdom, by the copies of what should be consented to for that.

In this errand two lords, and four of the commons, were appointed to go; but for the two lords, the lord Howard of Escrick served [the] turn; who was naturally to be governed by Mr. Fiennes, and Mr. Hambden, who, together with sir William Armyn, made up the committee. Which being despatched, they thought it time to breathe a little, and to visit their counties, for whom they had done such notable service: and so, towards the latter end of August, (having first constituted a committee to sit during the recess for the despatch of any important occurrences, and qualifying them with power they could not depute; such a committee, and such a qualification, having never been before heard of in parliaments,) both houses adjourned themselves till the middle of October following, by which time they presumed the king would be returned from Scotland; having, from the time that they were first convened, which was about nine months, (longer time than ever parliament had before continued together in one session,) besides all their extraordinary acts of blood and power, procured the king's assent to these following im-

portant laws; by which, the kingdom might have received ample benefit and advantage.

"*A bill* for the triennial parliament:" which took up a long debate; there being many clauses, in case the crown [should] omit the sending out of writs, derogatory to majesty, and letting the reins too loose to the people: yet, since it was evident, that unspeakable inconveniences had befallen the kingdom by the long intermission of those conventions; and that that intermission could not have happened, if there had not been some neglect of what had been settled by former laws; and therefore there was some reason for those clauses, by which the crown could in no case suffer, but by its own default. It found an easy passage through both houses; and by his majesty (who was satisfied that such a frequency of meeting with his people, as once in three years, might be more convenient than prejudicial to his service; and believed, that, by his consenting to this act, the proceedings in this parliament would be more moderate) it had an equal reception, and was enacted by him the next day after it passed both houses.

"An act for the taking away the high commission court:" which comprehended much more than was generally intended. That jurisdiction was erected by a statute in the first year of queen Elizabeth, instead of a larger power which had been exercised under the pope's authority, then abolished; and, whilst it was exercised with moderation, was an excellent means to vindicate and preserve the dignity and peace of the church: though, from the beginning, it was not unmurmured against by the non-conformable party of the kingdom.

But of late, it cannot be denied, that, by the great

power of some bishops at court, it had much overflowed the banks which should have contained it; not only in meddling with things that in truth were not properly within their connusance; but extending their sentences and judgments, in matters triable before them, beyond that degree that was justifiable; and grew to have so great a contempt of the common law, and the professors of it, (which was a fatal unskilfulness in the bishops, who could never have suffered whilst the common law had been preserved,) that prohibitions from the supreme courts of law, which have, and must have, the superintendency over all inferior courts, were not only neglected, but the judges reprehended for granting them, (which without perjury they could not deny,) and the lawyers discountenanced for moving them, (which they were obliged in duty to do;) so that thereby the clergy made a whole nation, that is, almost a whole profession, if not their enemy, yet very undevoted to them.

Then, it was grown from an ecclesiastical court, for the reformation of manners, to a court of revenue, and imposed great fines upon those who were culpable before them; sometimes above the degree of the offence, had the jurisdiction of fining been unquestionable: which it was not. Which course of fining was much more frequent, and the fines heavier, after the king had granted all that revenue (whatsoever it should prove to be) to be employed for the reparation of St. Paul's church; which, though it were a glorious work, and worthy the piety of those who advanced it, and the greatness of his mind who principally intended it, made the grievance less popular.

By these means (besides the conflux and reputation of that part of the clergy which had formerly been obnoxious, and suppressed by the bishops: which I do not mention as any piece of their exorbitancy; for I do not know that ever any innocent clergyman suffered by any ecclesiastical censure; though, it may be, the guilty were more severely proceeded against, and with less politic circumstances, than the nature of that time required) that court had very few friends; and having many enemies, the proposition for abolishing it was easily hearkened to; of which the violent party easily taking notice, they who prepared the bill inserted clauses, that not only took away the high commission court, which was intended, but, upon the matter, the whole ecclesiastical jurisdiction; and, under pretence of reforming the great abuses by the oath *ex officio*, and excommunication, destroyed and cancelled all coercive power whatsoever in those courts, which was never intended: yet, in that hurry, it made a progress through both houses, and attended the royal assent. But, when his majesty understood the extent thereof, and how far the body of the bill exceeded the title; and that, instead of reformation, it was opening a door to the most scandalous offences, and leaving adultery and incest as unpunishable, as any other acts of good fellowship; he made a pause in the consenting to it, till both houses might review whether their remedy were proportionable to the disease.

Immediately the fire was kindled against the bishops, as the only obstacles to any reformation; with some passionate insinuations, "that, since "they opposed a due regulation of their power,

"there would be no way but to cut them off root "and branch." And thereupon some bishops themselves were again made instruments; and others, who pretended to take care of the church, persuaded the king, "for the bishops' sake, to "confirm that bill:" whilst the designers were much pleased to find that logic prevail; little doubting, that when they had taken away their jurisdiction in the church, by that bill, and their dignity in the state, by removing them out of the house of peers, they should find it no hard matter to abolish their names and titles out of the kingdom; and to enjoy their goodly lands and revenues, which could only make the reformation perfect and complete. And in this manner that law was enacted.

"A bill for taking away the star-chamber court." The progress of which bill was this: The exorbitances of this court had been such (as hath been before touched) that there were very few persons of quality who had not suffered, or been perplexed, by the weight or fear of those censures and judgments. For, having extended their jurisdiction from riots, perjury, and the most notorious misdemeanours, to an asserting all proclamations, and orders of state; to the vindicating illegal commissions, and grants of monopolies, (all which were the chief groundworks of their late proceedings,) no man could hope to be longer free from the inquisition of that court, than he resolved to submit to those, and the like extraordinary courses. And therefore there was an entire inclination to limit and regulate the proceedings of that court: to which purpose, a bill was brought in, and twice read, and, according to custom, committed. It

being returned after by the committee, and the amendments read; it was suddenly suggested, (by a person not at all inclined to confusion, or to the violent party that intended that confusion,) "that "the remedies provided by that bill were not pro- "portionable to the diseases; that the usurpa- "tions of that court were not less in the forms of "their proceeding, than in the matter upon which "they proceeded; insomuch that the course of the "court (which is the rule of their judging) was "so much corrupted, that the grievance was as "much, in those cases of which they had a proper "connusance, as by their excess in holding pleas "of that, in which, in truth, they had no jurisdic- "tion: and therefore he conceived, the proper "and most natural cure for that mischief would "be, utterly to abolish that court, which [it] was "very difficult, if not impossible, to regulate; and, "in place thereof, to erect and establish such a "jurisdiction as might be thought necessary." Hereupon, the same bill was re-committed, with direction, "so far to alter the frame of it, as might "serve utterly to take away and abolish that "court:" which was accordingly done; and again brought to the house, and engrossed, and sent up to the lords. So that important bill was never read but once in the house of commons, and was never committed; which, I believe, was never before heard of in parliament.

It could not meet with any opposition in the house of peers: all who had been judges there having their several judgments hanging like meteors over their heads; and the rest, being either grieved or frighted by it: and so, being brought to his majesty, received his royal assent.

Thus fell that high court, a great branch of the prerogative; having been rather extended and confirmed, than founded, by the statute of the tenth year of king Henry the Seventh: for, no doubt, it had both a being and a jurisdiction before that time, though vulgarly it received date from thence; and, whilst it was gravely and moderately governed, was an excellent expedient to preserve the dignity of the king, the honour of his council, and the peace and security of the kingdom. But the taking it away was an act very popular; which, it may be, was not then more politic, than the reviving it may be thought hereafter, when the present distempers shall be expired.

"An act for the certainty of the meets, bounds, "and limits of all the forests in England:" which was a great benefit and ease to the people; who had been so immoderately vexed by the justice in eyre's seat, (exercised with great rigour by the earl of Holland, and revived by Mr. Noy, when he was attorney general,) that few men could assure themselves their estates and houses might not be brought within the [jurisdiction of] some forest; the which if they were, it cost them great fines: and therefore, to ease them of their future fears, the king departed with his own unquestionable right (which would, a year before, have been purchased at the price of two hundred thousand pounds) without any murmur for severity.

"An act, that no clerk of the market of his "majesty's house should execute his office in any "part of the kingdom, but only within the verge "of the court: and the execution of that office "granted to mayors and bailiffs of towns corporate; "and to the lords of liberties and franchises, and

"to their deputies." By which, the people through England were freed from many petty vexations and extortions, which the deputies and agents for that office (who commonly farmed the perquisites of that office, within several limits) exercised over them. And let no man say, that this was but an act of justice, for the redress of visible misdemeanours which his own officers were guilty of; and that his majesty parted with nothing of profit to himself, by that act: for the misdemeanours of any office may be prevented, and punished, and redressed, without the taking away, or suppressing, the office itself; which is an instance of power, and prerogative. And the other was used as an argument heretofore (which few have since approved) for the passing away most of the old rents of the crown, "that they yielded little profit to the crown, "being always swallowed by the many officers in-"cumbent to that service;" without considering, that even those many officers are of the essential honour and greatness of princes. But, as that computation was very erroneous in point of thrift, so it is much more scandalous in point of power; and he, that thinks the king gives away nothing that is worth the keeping, when he suffers an office, which keeps and maintains many officers, to be abolished and taken away, does not consider, that so much of his train is abated, and that he is less spoken of, and consequently less esteemed, in those places where that power formerly extended; nor observes, how much private men value themselves upon those lesser franchises and royalties, which especially keep up the power, distinction, and degrees of men.

"An act for the prevention of vexatious proceed-"ings touching the order of knighthood:" by which,

to expiate the trespasses which had been lately committed by the rigorous circumstances of proceeding upon that claim, the king parted with, and released to his people, a right and duty, as unquestionably due to him by the law, as any service he can lay claim to; and such, as the subject received the discharge of it, as a singular benefit and advantage to him.

"An act for the free making saltpetre and gun-"powder within the kingdom:" which was a part of the prerogative; and not only considerable, as it restrained that precious and dangerous commodity from vulgar hands; but, as in truth it brought a considerable revenue to the crown; and more to those, whom the crown gratified and obliged by that license. The pretence for this exemption was, "the unjustifiable proceeding of those (or of inferior "persons qualified by them) who had been trusted "in that employment;" by whom, it cannot be denied, many men suffered: but the true reason was, that thereby they might be sure to have in readiness a good stock in that commodity, against the time their occasions should call upon them.

"An act against divers encroachments and "oppressions in the stannery courts:" the logic of which act extended itself to all inferior courts, and manner of proceedings throughout the kingdom; though the full measure of that benefit seemed to be poured out upon the two counties of Cornwall and Devonshire; the people whereof had been so much oppressed by the jurisdiction of that court, (supported and extended with great passion and fury by the earl of Pembroke, the lord warden of those stanneries,) that both prohibitions, and habeas corpus's from the king's bench, had been disobeyed

and neglected; not without some personal affront, and reproach to all the judges of that court: and therefore, it could not but be great ease of heart to those parts, to be freed from the exorbitancy of that oppression.

"An act, whereby all the proceedings in the "business of ship-money were adjudged void, and "disannulled; and the judgments, enrollments, and "entries thereupon, vacated and cancelled:" which (how just and necessary soever) was a frank departure from a right, vindicated by a judgment in the exchequer-chamber, before all the judges in England; and therefore deserved a just acknowledgment; besides that, some clauses in that statute assert the subject's liberty and property, beyond what was done by the petition of right; which needed an additional establishment.

These acts of parliament, finished and enacted in the time we speak of; besides the quitting the long used right of imposing upon foreign trade, in the preamble of the bill for tonnage and poundage; and besides that fatal bill for the continuance of this parliament; will be hereafter acknowledged, by an incorrupted posterity, to be everlasting monuments of a princely and fatherly affection to his people; and such an obligation of repose and trust from the king in the hearts of his subjects, that no expressions of piety, duty, and confidence, from them, could have been more than a sufficient return on their parts: which how they performed, is to follow in the next place.

THE END OF THE THIRD BOOK.

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